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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 21, 2011.

I hereby appoint the Honorable RICK CRAWFORD to act as Speaker pro tempore on this day.

JOHN BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

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

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

IN GOD WE TRUST

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

Mr. RANGEL. Good morning, my colleagues.

Like most of you, I have taken so many things around this wonderful Capitol for granted. And this beautiful statement, ''In God We Trust,'' unfortunately for me has been one of them. It has not really struck me like the pledge of allegiance to the flag or the ''Star Spangled Banner'' or so many other things.

But I think that now is the time that we really need God to guide us to do the right and the moral thing. And the reason we have to do it is because we're dealing with something that is basic to all religions and faiths and this is our responsibility to make certain that we balance our budget, do what is fiscally necessary for our great Nation to survive. But also to do it in such a way that the poor and the vulnerable, who have nothing to do with the crisis that we face, are not hurt.

So I guess this is what we're talking about when we say ''In God We Trust.''

But God works through us. We are the tools. We have the responsibility of the missionaries. We don't have lobbyists that come down to say protect those people. And I guess this is one of the reasons why this saying here is a constant reminder to us that even though we're carried away with our ability to create statutes, that we respect our court system and the Supreme Court, in the final analysis it's the higher authority of morality that should be guiding all of us.

Recently, I called upon religious leaders to help us in this guidance, to make the right decisions—Christians, Catholics, Protestants, Muslims, Mormons, Jews, and gentiles. And I was so pleased that a long and dear friend named Jim Wallis—he's a Lutheran pastor, was an adviser to the President, and just yesterday he brought in a group of ministers to help the President to make the moral decision as he struggles so hard to make the proper decision as it affects our budget and how we're going to reduce our deficit.

But the things that he had cited, like Matthews, ''Truly I tell you, whatever you did for the least of these brothers and sisters of mine, you did for me,'' what it is, is that whatever you have done to assist a poor person or those who are not as strong physically and financially as you and I that you really did this, in a sense, for Jesus because you have done the right thing.

And then he goes on to have something that sounds like statutes when it says: Woe to those who enact unjust statutes and who write oppressive decrees—oppressive decrees—depriving the needy of justice and robbing poor people of their rights.

Is health care a right? Is Social Security a right? Is decent housing, education, the pursuit of happiness—is all of this a right? And does this permeate the entire budget and every decision that we're trying to make?

Well, in these statements that he made, we have the Torah that says the same thing: If there is a poor man among your brothers in any of the towns of the land, we have a responsibility. The Koran indicates: Believe in Allah and his messengers and spend on charity.

And so my brothers and sisters, it seems to me that now is the time for us to really get in touch with the Gang of Six because it seems like nobody in the House of Representatives has any clue as to what ultimately the President and his advisers will decide. Certainly the Senate doesn't know what we will decide.

But somehow we should include not just the question of revenue, not just the question of trillions of dollars to be cut, but in the course of these negotiations to think of the lesser of our brothers and sisters. Remember that it is a part of our very lives in saying ''in God we trust'' and to know that you just can't cut services without losing jobs.

In other words, when you have people who are jobless, homeless, who lost their savings, these are God's children and they need hope for the future.

So thank you for once again giving me this opportunity. And what words could better express what I've been trying to say, and that is, Mr. Speaker, ''in God we trust.''

AFGHANISTAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from

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North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. On Tuesday, the House passed H.R. 2560, the Cut, Cap, and Balance bill. I was amazed by the $120 billion approved to fund the war on terror. I, like many of my colleagues, agree that we must continue to fight terrorism, but I do not understand why we are funding the civil war in Afghanistan.

I do not understand why Members of Congress want to spend $10 billion a month in Afghanistan when our people back home are struggling. I can assure you the American people do not understand it either. In June a poll was conducted by the Pew Research Center where 56 percent of the American people polled said bring our troops home now, not later.

Mr. Speaker, I brought back the picture of Eden and Stephanie Balduf. Their father, Sergeant Kevin Balduf, and Lieutenant Colonel Benjamin Palmer died. And that continues to haunt me, and the way they died continues to haunt me. That's the reason I wanted to bring this picture down here again.

They were given the task to train Afghans to be policemen. The two were shot and murdered by one of the trainees. What really haunts me is the email Sergeant Balduf sent to his wife the day before he was shot and killed. And I quote the email: ''I don't trust them. I don't trust them for anything, not for anything at all.''

Why in the world do we continue to send our young men and women overseas to get themselves blown up, shot, and murdered by people they are trying to train?

These little girls are standing at their daddy's funeral at Arlington Cemetery.

Mr. Speaker, that brings me to the last email I received from a retired marine general. I called him about 20 months ago and I said, I made a mistake on Iraq. I don't want to make one on Afghanistan. Will you advise me?

He said, Yes, I will.

Let me read the one that just ties in to this issue of this sergeant and this marine colonel being murdered by a trainee in Afghanistan. The general said: ''Get real with 'training' an army and police force. All we are doing is training eventual new members of the Taliban.'' He further stated: ''Trainers are doing a wonderful job, but we don't have the time to 'make' an army or police force in Afghanistan.''

The general closed his email to me by saying this: ''Every day someone dies.''

□ 1010

It is time to bring our troops home from Afghanistan. How many more children have to cry at a mom or dad's grave site because their mother or daddy went to Afghanistan to prop up a corrupt leader named Karzai that we send $10 billion a month to? I hope no other children have to cry like Eden and Stephanie.

That brings me to my close, Mr. Speaker. Several weeks ago, Eugene Robinson in his editorial titled, ''Afghan Strategy: Let's Go,'' wrote, ''We wanted to kill or capture Osama bin Laden, and we did. Even so, say the hawks, we have to stay in Afghanistan because of the dangerous instability across the border in nuclear-armed Pakistan. But does anyone believe the war in Afghanistan has made Pakistan more stable?''

No, it has not. In fact, it's more fragile now than it's ever been.

''The threat from Afghanistan is gone. Bring the troops home.''

Eugene Robinson is not a conservative. We see him on TV all the time. And I will say that he nailed it with this editorial: The threat from Afghanistan is gone. Bring them home.

Mr. Speaker, as I close always on the floor of the House, for these little girls who have lost their father and all the children who have lost their fathers and moms over in Afghanistan and Iraq, I ask God to please bless our men and women in uniform; I ask God to please bless the families of our men and women in uniform. I ask God, in his loving arms, to hold the families that have given a child dying for freedom in Afghanistan and Iraq. I ask God to please bless the House and Senate, that we will do what is right in the eyes of God for His people. I ask God to give strength, wisdom, and courage to Mr. Obama that he will do what is right in the eyes of God for his people.

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

LET THE BUSH TAX CUTS EXPIRE

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

Mr. DEFAZIO. Colleagues, we are truly through the looking glass here into a strange world. The Gang of Six has supposedly met the President's requirements that we would have $3 trillion in cuts and $1 trillion in revenues. But actually, they are cutting taxes.

Now how does that work? Well, that only works inside the Washington, DC, Beltway. When you reduce revenues, you will increase revenues because you pretend that you wouldn't have had those revenues otherwise. It's a little bit complicated, isn't it? It is incredibly complicated. There is a lot of smoke and mirrors here.

There is a simple way to deal with this crisis. We need to rein in spending. We also need to make investments that will put people to work. Now, the Republicans don't think the government can invest in anything that puts people to work, except they haven't noticed that we have an infrastructure that's falling apart. We have 20 percent unemployment in construction and related fields. If we were to begin to invest and rebuild America's infrastructure, all private sector jobs put those people to work. They start paying taxes, then part of the deficit goes away, and the money will be spent on something that will benefit this generation and future generations. But, no, they categorize all Federal spending the same. They just want to slash it all.

So how about a plan that targets investment, putting people back to work that reduces spending appropriately across the government and actually pays for all of this with revenues? How could you do that? Simple. Let the Bush tax cuts expire. Let all the Bush tax cuts expire. That's $4 trillion. It's not too complicated. It would take us back to those bad old Clinton years when rich people paid taxes. The ''job creators'' they call them.

You can't make the job creators pay taxes; it will ruin the economy—that's what they said when Clinton raised the taxes back in the nineties. Guess what, we ended up with 3.8 percent unemployment, and we actually balanced the budget and paid down debt. But, yes, the wealthy and all Americans carried a fair share of that burden. I would love to go back to those bad old days.

We've been now, for a decade, living under the theory that reducing taxes creates jobs, especially reducing taxes on billionaires—you know, the job creators—creates jobs. It's not working too well, is it? No, it's really not working at all. But the Obama administration and the Gang of Six have apparently bought into this flim-flam. Let's continue the Bush tax cuts. Let's continue this stupid Social Security tax holiday that hasn't created a single job. Sure, there are a lot of American families that could use an extra $20 a week. But their spending an extra $20 a week does not create jobs. And now Obama wants to give employers $20 a week on each employee, saying, Well, they'll go out and hire millions if they get an extra $20 a week. Corporations are sitting on trillions of dollars of cash, trillions of dollars of cash. They don't need more cash. And for $20 a week, they're not going to go out and hire anybody.

So here's the plan: let the Bush tax cuts expire. That's $4 trillion. We've met the targets. We didn't cut Social Security. We didn't cut Medicare. We didn't cut veterans benefits. We didn't cut student financial aid. But we are $4 trillion ahead in this game. And then cancel the stupid Social Security tax holiday, but still borrow the money. We're borrowing the money to give people a Social Security tax holiday, borrowing the money to put back in the Social Security trust fund after we reduce the income.

Stop reducing the income to Social Security, go back to the statutory rate of taxes, and guarantee the benefits to people. And borrow, instead, that $110 billion to rebuild America's infrastructure—$110 billion, that's about 4.7 million jobs. And that is not just construction jobs, but engineering jobs, small business jobs, manufacturing jobs all across the country. It will put America back to work, and that would reduce the deficit by about another 25 percent.

So if we cancel the Bush tax cuts, $4 trillion. Okay, we're now at the President's ''big deal'' target which we're not going to meet under the Gang of Six or any of these other constructs around here. Cancel the Social Security tax holiday. Instead, borrow that money one more year, as the President has proposed, and invest in infrastructure. It will put millions to work. And then when those millions go to work, they'll be paying taxes, and that will reduce the deficit by another quarter.

So we've solved three-quarters of the problem without killing programs essential to the American people and without cutting taxes on the job creators.

The Gang of Six is proposing that billionaires should see their taxes cut by about 25 or 30 percent. That will help us balance the budget? It is time to get back to the real world and out of ''Alice in Wonderland.''

HONORING PRIVATE FIRST CLASS ROSS McGINNIS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, since 1947, every August, the Little League Baseball World Series is held in South Williamsport, Pennsylvania, within Pennsylvania's Fifth Congressional District. And each year, Little League International recognizes Little League graduates who have become outstanding citizens and role models as adults for induction into the Little League Museum Hall of Excellence.

Among previous recipients of this honor include prominent figures such as Vice President JOE BIDEN in 2009, General Peter Pace in 2003, and former New York Mayor Rudy Giuliani in 2002.

This year's ceremony will prove to be extra special. For 2011, Little League International plans to enshrine the first-ever Little League graduate known to have received our Nation's highest military award, the Medal of Honor. That person is Army Private First Class Ross Andrew McGinnis of Knox, Pennsylvania. Ross McGinnis played second base and outfield for 6 years and is a graduate of Little League in Knox, Pennsylvania, also in the Fifth District.

In 2006, Army Private First Class Ross McGinnis heroically gave his life to save four others from a grenade blast inside a Humvee during Operation Iraqi Freedom. On June 2, 2008, McGinnis was awarded the Medal of Honor posthumously for his heroic actions.

I will quote from President George Bush: ''In a selfless act of bravery, in which he was mortally wounded, Private McGinnis covered the live grenade, pinning it between his body and the vehicle and absorbing most of the explosion,'' the official citation read, which was awarded by President George Bush. McGinnis' mother, Romayne, says baseball taught her son teamwork and a commitment to achieving common goals.

Today, because of McGinnis' sacrifice and commitment to others, four men will live on to enjoy their families and their futures. Congratulations to you, Ross Andrew McGinnis. We thank you for your service, and may you rest in peace. Thank you to Little League International for recognizing Mr. McGinnis' heroic achievements. To the McGinnis family, we are proud of your son, a true American hero.

□ 1020

PRESCRIPTION DRUG PRICES

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

Ms. KAPTUR. Mr. Speaker, almost no one in Washington is talking about jobs. For 2 months now, both Chambers of the Congress have been locked down in talking about the debt ceiling.

Meanwhile, if you look back at the Bush years, America lost over 8 million jobs while the largest recession since the Great Depression, was precipitated by the Bush Wall Street bailout. America has only gotten back about 2 million jobs. Yes, only 2 million; still jobs are being created at about 120,000 per month. That is far from where we need to head to achieve economic recovery for all.

But rather than this Congress engaging in intelligent dialogue on how to create jobs, we keep going down these side roads to nowhere. Meanwhile, unemployment just went up another 10,000 jobs. 10,000 more workers filed for unemployment.

Every Member in both Chambers will be judged on not doing the work that the people want us to do. Instead Congress must focus on how to use the power of the Federal Government to create jobs.

If you take a look at what the Republican majority in the House wants to do, they want to cut unemployment benefits. That's not even understandable to any rational person.

They want to cut food. I invite any one of them, come to my district. Come and stand in the food lines. See how it feels. Better yet, help us pack some of the food bags, and then distribute them and give them to veterans who are coming home from the wars who don't have jobs. And then ask yourself what are you really doing here. What are you doing here? America needs jobs.

What about health benefits for people who've fallen out of work, and don't have any more health benefits for their family? Why should we cut there?

You know, there are some who like to proudly proclaim they're pro-life. Pro-life doesn't only involve the period before a child is born. It involves the entire life of a person, of a human being until natural death.

I think there are some philosophical questions our Members ought to be asking themselves about helping the American people at this critical point in our history.

Now, all of us want to produce balanced budgets. When you have full employment, you get balanced budgets and you even can get extra funds. Full employment means you can pay down your long-term debt. But you don't hear anything up here being talked about jobs. If it were happening, we'd have more job creation. But we have less job creation. More people are going on unemployment benefits. So the current conversation and discussions are totally off base.

Let's just look at one sector where America and the Federal Government could save a lot of money. America, as a country, spends over $250 billion a year on prescription drugs. And nearly a third of that amount is paid for by the Federal Government, which actually means our people paying their fair share of taxes, when they work, to the Federal Government and then the Federal Government meeting its obligations to our citizenry for their security and our Nation's future. Now, some of my colleagues on the other side of the aisle are saying, cut Social Security, cut Medicare. Hurt the American people. Hurt the people who have worked for a living. They don't talk about trimming the excess profits of the pharmaceutical companies. So, let's look at that pharmaceutical industry.

You know what? They're not paying their fair share into the Federal till.

Let's just look at one bag of heparin in a hospital for which Medicare ends up paying over $600, and in total, millions and millions of dollars a year for a product, a blood thinner that's been off patent for years. It's made in China. The ingredients are made in China. They're not even made here. Do you realize how much money a couple of companies are making off of selling just that one product? My Republican friends aren't trying to get fair prices for the American people.

Celebrex, for treating arthritis, Medicare pays for an average patient $148 a month. For Lipitor, for those trying to lower cholesterol, $122 a month.

Now if you take a look at the profits of Pfizer, Pfizer made $8.3 billion in profits, and its CEO made $25 million last year, just in what he's willing to admit. Johnson and Johnson made $13.3 billion in profits, while their CEO walked away with $29 million. Other big drugmakers like Abbott Labs, $4.6 billion. These are with Bs—billions. These aren't with Ms—millions. These aren't millions; these are billions. And Eli Lilly, $5 billion in profits our Federal Government is just forking over billions all the time. Yes, the Federal Government is the pharmaceutical industry's biggest customer, and the industry surely knows it.

Why doesn't the Federal Government use its purchasing power to get better bids on these drugs and have competitive bidding in order to purchase more fairly-priced pharmaceuticals? We did

that back in the 1990s. We haven't done it since.

There's plenty of ways to get the funds to try to balance the budget. But the most important way to balance the budget is to help Americans get back to work. Then Congress must not forget the places in our budget where the American people are being gouged because some very powerful companies aren't doing their fair share to help our Nation recover. Proper management of the Federal pursestrings in long overdue.

REMEMBERING LANCE CORPORAL ROBERT S. GRENIGER

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

Mr. PAULSEN. Mr. Speaker, I come to the floor of the House to honor and remember an American hero, Marine Lance Corporal Robert S. Greniger of Greenfield, Minnesota, who died last week after an IED attack in Afghanistan in Helmand province.

As we grieve the loss of one of our finest citizens who loved being a marine and share our grief with his widow, Ashley, and his family, we really marvel that such heroes have been able to live among us. He gave up everything to protect his neighbors and extend the blessings of freedom to millions who have never known it. He was proud of his country and of the marines that he served with.

Mr. Speaker, in honor of Lance Corporal Greniger, we need to regularly thank our servicemen and -women and pray for their safe return each and every day.

We honor the service and the memory of Lance Corporal Greniger and commit ourselves to follow his example of patriotic duty, honor, and sacrifice in our daily walk as Americans.

Semper Fi, Lance Corporal.

TRIBUTE TO STAFF SERGEANT RUSSELL JEREMIAH PROCTOR

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

Mr. MCCLINTOCK. Mr. Speaker, on June 26, a roadside bomb in Julula, Iraq, claimed the life of a young man from Oroville, California. He was Army Staff Sergeant Russell Jeremiah Proctor, age 25, on his third tour of combat duty.

He was laid to rest last week in solemn ceremonies in California. Sergeant Proctor leaves behind a grieving widow, a devastated family, and a 9-month-old son who will know his father only by reputation. And it is reputation I want to speak of today.

I never met Sergeant Proctor. I too know him only by reputation. It is a reputation commemorated by, among other decorations, two Army Commendation Medals, two Army Achievement Medals, two Army Good Conduct Medals, the National Defense Service Medal, the Iraqi Campaign Medal with Bronze Service Star, the Global War on Terrorism Service Medal, two Overseas Service Ribbons, a Combat Action Badge, the Bronze Star, and the Purple Heart.

It's a reputation memorialized by those who knew him best, the men he served with. ''He was a leader among leaders,'' said one. ''His drive to be the best motivated all of us to reach our potential.'' Another said, ''He led from the front. He inspired everyone around him to better themselves.''

Perhaps the most poignant was this simple post on a local newspaper site: ''My son was killed with Sergeant Proctor. Private First Class Dylan Johnson and the rest of the soldiers in the unit all looked up to Russell for leadership and guidance. They are both heroes to me as well.'' It's signed, ''A grieving dad.''

I had the honor to speak last week with Sergeant Proctor's widow, Soila. She's also active duty Army. They met while serving at Fort Hood. She was deployed at the same Forward Operating Base as Russell. They were billeted together. She was nearby when he was killed.

I cannot begin to imagine the hell that she has been through. And yet, having endured all this, she plans to continue her service to our country in the U.S. Army.

Mr. Speaker, James Michener's question thunders down upon us at times likes these: Where do we get such people?

As I talked with Soila last Monday, I was struck by the transcendent nobility that accompanies her grief.

Perhaps a more pertinent question is: What would our country do without such people as Sergeant Proctor, or the nine generations of Americans who have preceded him in the defense of our Nation?

General Patton was right when he observed: ''It is foolish and wrong to mourn the men who died. Rather, we should thank God that such men lived.''

And so, Mr. Speaker, I rise today for exactly that purpose, to thank God that Russell Proctor lived and to pray that his infant son, Ezekiel, grows up in a Nation made safer by his sacrifice, and a Nation that will never forget not only what we owe to those who Lincoln called ''the loved and lost,'' but what we owe to the families who so personally bear that loss.

□ 1030

A chaplain who brought the dreaded news to the family wrote a commentary over the 4th of July weekend, a weekend filled with barbecues and picnics and fireworks, in which he noted the grief of this family amidst all of the frivolity around them. And he noted that at the age of 25, Russell Proctor will never again celebrate a birthday, take his son fishing, or hug his wife.

Sergeant Russell Proctor and all those who preceded him since the first shots on Lexington Green believed enough in our country and what it stands for to sacrifice all of those precious years of love and life and joy so that we, their fellow Americans, could enjoy those same blessings of liberty and safety and security, including a baby boy named Ezekiel, whose dad won't be there to take him fishing or hug him or celebrate birthdays with him.

Ezekiel, if you should someday stumble upon these words, I hope you will know that, like you, many of us knew your dad only by reputation, and we stood in awe of him.

HELP AMERICANS REDUCE DEBT

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

Mr. CLARKE of Michigan. Mr. Speaker, today I'm asking this House and this Congress to cut the debt that's truly crushing the American people right now, the debt that Americans and American families have to pay month after month, year after year, without any help from anyone else. It's a direct burden on our people.

And I'm not talking about the Federal debt. I'm talking about the debt that Americans must pay on their mortgages and on their student loans. So today I'm offering a resolution to strongly urge this body, that as we work to prevent the government from defaulting on its obligations, that we do the same thing to help the American people, that with equal intensity and drive and commitment, we work to help Americans free themselves of debt.

Now, if we help the American people reduce their debt burden, that's going to help our families to be more financially secure. Now, yes, jobs are important. I represent metro Detroit, a region that has one of the highest unemployment rates in the country. But you know what? I know folks that are working, they have jobs, but they don't have any money because all of their income is going to pay off creditors. That's outrageous.

A couple of days ago, I made a big issue to the American people about not borrowing and handling their money responsibly. The reason why I said that is because many of us think that being in debt is the American way. It's not. This country was founded on the principles based on the Declaration of Independence, that we all have a God-given right to life, to liberty, to the pursuit of happiness. But who can be free when drowning in debt?

So I'm urging this Congress, cut the mortgages, forgive the student loans. That will help American families be secure. But also this: by reducing that debt burden that Americans have to directly pay, that will create more jobs because that will free up money that Americans are earning for themselves.

So instead of spending it on creditors, they can save that money, they can invest it, they can spend it responsibly on businesses, who in turn will hire more people. That's how you create jobs in a sustainable way. It's by helping Americans get out of debt.

Yes, Americans have a responsibility to manage their own finances, but likewise Congress has the duty to help Americans get out of the debt that this body, over the years, helped put people into debt by changing the laws, by allowing lenders to loan money under imprudent terms and target certain people with the sole objective to put the American public into debt, into a debt that they can't repay or would take them a lifetime to free themselves of. We have that responsibility and that obligation.

I'm going to close because the underlying point I'm trying to make is this: yes, the Federal Government is important; how the Federal Government manages its money is important. This debt, it's critical that we manage it properly. We have to avoid default because if this government goes into default, everyone's interest rates on their loans are going to go up. That could force people into bankruptcy, force folks into foreclosure, and ruin property values for everyone else. Just so you know, property values have been ruined because of foreclosure. So if we help homeowners stay in their homes by modifying their loans, that's going to save the property values of other homeowners who never missed a payment, because you are the same homeowners right now that can't sell your home to pay off your mortgage.

You can't retire. You are depending on selling your home to pay off your mortgage, but you can't do it because your other neighbors are so under water they had to walk away from their homes or had to be evicted because of foreclosure. So by helping families reduce their debt, that helps all of us in America and it helps our American economy.

You see, this country is a great country. Our economy has been a strong one, not necessarily because of government, but because of the American people. So you know what, folks? If we want this economy to rebound, let's make sure that Americans are financially secure. And one of the most effective ways to do that is to free Americans from mortgage and student loan debt.

HONORING SHERIFF JAMES ''DEE'' STEWART

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

Mr. WESTMORELAND. Mr. Speaker, as an elected Member of Congress, I have the honor to serve and represent the people of the Third District of Georgia through my voting record and through participation in the lawmaking process.

Georgia's Spalding County sheriff, James ''Dee'' Stewart, represented his community through selfless service to his county, his deputies, and the thousands of citizens who elected him to four terms to be their protector.

I come before the House today with a heavy heart to honor the nearly 40 years of law enforcement service that was brought to a premature end on July 3, when Sheriff Stewart was killed in an automobile accident while on his daily patrol.

I hope that one day my staff and my friends will talk about me the same way Dee Stewart's coworkers and friends did at his funeral. He was the kind of man who always led from the front. Even though he was the head of the department, it would often be his voice that came across the radio responding to calls no matter what time of day or night. He would rather put his life on the line than let anyone else cover for him.

A man who valued his duty more than his sleep, Sheriff Stewart readily gave his personal cell number to anyone and made sure that everyone knew that he was available to them 24/7. That set him apart and contributed to his reputation as a man who really cared about the people of Spalding County.

Chief Deputy Major Teresa Bishop called Sheriff Stewart the ''greatest boss ever'' after 29 years of working together. He trusted his deputies to do their job and expected them to hold him accountable too. His humor made his employees look forward to each work day, but he took his responsibility very seriously, especially when it came to the safety of children and the elderly.

Sheriff Stewart is remembered as having a huge heart, a heart as big as Spalding County. In a testament to the number of lives touched by Sheriff Stewart's service, his funeral procession took nearly 20 minutes to pass by.

I stand here on behalf of his wife, Janice; his children, Jay, Hope, Joey and Darren; his 11 grandchildren; and everyone who knew James ''Dee'' Stewart as more than just a sheriff, but as a preacher, a marriage counselor, a friend, a father, and a husband.

The Bible says: ''Blessed are the peacemakers, for they shall be called the children of God.'' Sheriff Stewart embodied that verse.

Thank you for your service, Sheriff. The people of Spalding County lost a great man on July 3, but your memory will live on. Many others will be inspired by your example to live justly and with kindness. You will be missed. See you later, Dee.

□ 1040

THE COST OF FAILURE EXCEEDS THE PRICE OF PROGRESS

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

Mr. HOYER. Mr. Speaker, ladies and gentlemen of this House, I am pleased to rise with my colleague and dear friend BARBARA LEE to focus on an issue that all too frequently is ignored. I rise to speak as we are engaged in an extraordinarily important discussion, debate, and responsibility. That responsibility is to ensure that America pays its bills; that America's creditworthiness is not put at risk; and that an America which has incurred obligations meets those obligations to individuals and to others, as we have made policies that have cost money and it is now necessary for us to pay the bills that we have already incurred.

But as we engage in that debate and discussion, we must remember that there is in our country one child out of every five who is living in poverty, who is worried about proper food, proper housing, proper medical care. Children who are, in fact, at risk. We now in America, the richest nation on the face of the Earth, have the largest number of people living in poverty that we have had in over seven decades.

And so as we engage in this debate, it is important that we take this time to focus on those who all too often are invisible, who all too often are not the center of our discussion, who all too often are perceived to simply be those who will not matter at the voting booth.

Each of us in this House has a compass formed in many respects by our faith. My faith teaches me I have a responsibility to my God to reach out to the least among us to lift them up, to care for them, to clothe them, to feed them, to house them, to make sure that as a part of our American family, they are not forgotten. They are not by negligence driven more deeply into despair, unhealth, sickness, and a negative lifestyle which costs us all and costs those individuals.

I come from the State of Maryland, and I want to quote somebody you would think it may be unusual for me to quote, but I was elected to the State senate in 1966. Ted Agnew was elected Governor of our State in 1966, and he was inaugurated 2 weeks after I was sworn in as a member of the State senate at the age of 27. In his inaugural address he said: The cost of failure far exceeds the price of progress. What he meant by that, the failure to invest in the welfare of our people, as well as our infrastructure and the creation of jobs and the expansion of opportunity for our people, the failure to make those investments would in the long run cost us far more than the investments would cost us in the short run.

My colleagues, I suggest to you that our failure to invest in the welfare of all of our citizens will cost us far greater sums in the long run for the failure to invest in the short run.

And so I congratulate BARBARA LEE from California for making sure that the least of us are not forgotten in this very important debate.

Do we need to bring down spending? We do. But one of the interesting facets

of every report that has been issued in a bipartisan way, most recently by the so-called Gang of Six, or the Simpson-Bowles Commission, or the Senator Domenici-Alice Rivlin Commission—all had a central premise: Do not take actions that undermine the most vulnerable among us. Those were all bipartisan commissions.

I know my friends on the Republican side of the aisle who pride themselves on being the party of Lincoln understand Lincoln's message of healing and bringing us together and making sure that we lifted up our fellow citizens and cared for the sick and the homeless and for the young and, yes, for the old.

So as I said, I thank Chairwoman LEE, such a courageous and powerful voice on behalf of those who sometimes have no voice. I am pleased to join my voice to hers and hopefully to all 435 of us who have been given the privilege of serving in this body to raise our voices on this day on behalf of a Nation that has been perceived around the world as being a Nation of hope, of opportunity, of heart, and of soul. Let us reflect that in whatever way we go forward in ensuring the fiscal health of our Nation, both in the short term and in the long term. And understand that the health of our people physically, mentally, financially will be equally important to the health of our Nation.

I thank the gentlelady for leading this debate.

PASS FREE TRADE AGREEMENTS

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

Mr. CANSECO. Mr. Speaker, if one were to ask the average American what their top three priorities for the Congress to work on would be, I think you would get the answer of jobs, jobs, and more jobs.

That's the answer because the employment situation in America is not good. Over 14 million Americans are out of work. We have had 29 straight months with the unemployment rate at 8 percent or higher and monthly jobs reports that show anemic job growth.

Clearly, we need to turn our economy around so robust job creation can occur. The American people want and expect nothing less.

Much of why our economy is not creating jobs is because of uncertainty in the economy that has been created by policies passed by Washington, like the government takeover of health care, the credit-restricting financial regulation bill, and the out-of-control spending.

We tried it the way desired by President Obama and Washington liberals, attempting to spend and borrow our way to a better economy. And their bills, all they did was add to the debt that is dragging the economy down.

Worst though is that Washington is ignoring three very easy actions that, if taken, will immediately help our economy. There are three pending trade agreements with Colombia, Panama, and South Korea that will create jobs and are at no cost to the taxpayer.

□ 1050

Altogether, it's estimated by the Business Roundtable that these three agreements will create 250,000 jobs. How can we not pass these agreements that will create jobs and not cost the taxpayers?

Today I want to talk about the benefits of the Panama Free Trade Agreement. In 2010, U.S. exports to Panama accounted for $6.1 billion, creating $5.7 billion in trade surpluses with Panama. The United States is Panama's largest trading partner. And once the agreement goes into effect, 88 percent of U.S. goods will enter Panama duty free.

What are some of the products that we export to Panama that could benefit from this agreement? Well, our top exports to Panama now are aircraft, machinery, and agricultural products. In the 23rd District of Texas, which I have the privilege of representing in the United States House of Representatives, agriculture is an important source of economic activity. The Panama Free Trade Agreement will help agricultural products in my district and those districts across the United States. This agreement is helping level the playing field for American agricultural producers.

In 2009, the U.S. exported $362 million in agricultural exports to Panama. Less than 40 percent of those exports received duty-free status, while more than 99 percent of Panama's agricultural exports to the United States received duty-free status. Upon implementation of the agreement, 56 percent of U.S. agricultural exports will enter Panama duty free, and the remaining tariffs will phase out within 15 years.

While there are benefits to passing this agreement, there are also consequences for failing to pass it. American jobs are at stake as our competitors, notably Canada and the European Union, have their own trade deals with Panama. And once these deals are implemented, their exports will have an advantage over U.S. exports currently going into Panama. This will lead to a loss of market share for the United States exporters and a loss of jobs here at home.

Mr. Speaker, we have the ability to create jobs without spending taxpayer money. With over 14 million Americans unemployed, we must stop waiting. It's time to pass the Panama Free Trade Agreement.

POVERTY CRISIS IN AMERICA

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

Ms. LEE. I rise today as the founding cochair of the Congressional Out of Poverty Caucus to join my colleagues to discuss the urgent crisis of poverty and to provide a voice for those people living in poverty and who we feel that could get disproportionately hurt by any negotiations that take place that cut too deeply.

I want to thank our leadership, especially our whip, Mr. HOYER, for his powerful words this morning and for his leadership; Leader PELOSI and our Assistant Leader, Mr. CLYBURN, for each and every day standing and working for the least of these.

Mr. Speaker, a daunting statistic speaks for itself: One in 5 million children in America are growing up in poverty, and nearly 45 million Americans are living in poverty today. Our national unemployment rate is 9.2 percent, but for African Americans it is 16.2 percent and for Latinos it is 11.6 percent. And we know it's twice these statistics, given the millions of people who have lost hope in looking for jobs.

Given these heart-wrenching statistics, the Congressional Out of Poverty Caucus, our cochairs—Representatives BACA, BUTTERFIELD, CONYERS, HONDA, and I—sent a letter to the President, the Vice President, and the congressional leadership on both sides of the aisle asking them to protect those programs that support those facing or living in poverty in the debt ceiling negotiations.

My colleagues and I are here on the floor today to remind every Member that it was not American families or children or the working poor that forced Congress to run a deficit, and it definitely was not America's seniors on Social Security or Medicare or people on Medicaid that forced Republicans to turn the first budget surplus into decades of record deficits. Two wars, massive tax breaks for millionaires and billionaires, Big Oil, and Wall Street running wild caused these deficits. The American people are willing to work, they want to work and pay their fair share, but they should not be asked to fill a hole that they did not dig.

We should quickly pass clean legislation to raise our debt ceiling to end this default crisis so that we can move on doing the critical work of creating jobs and responsibly addressing the national debt. Making heartless cuts on the backs of hungry children and struggling American families will not balance the budget. Every Member of Congress should consider the millions of Americans who are struggling—struggling to find work, struggling to pay for health care if they have health care, struggling to stay in their homes, and struggling to feed their children.

Mr. Speaker, more and more Americans are facing poverty every day, and the Congressional Out of Poverty Caucus is on the floor once again to be the voice for these Americans struggling day in and day out just to survive, demanding that we protect these vital safety net programs and help support the poor, especially in this Great Recession.

We are here today to share some stories from people who have benefited from those programs. I have a story

from Veronica, who lives in northern California, who has turned her life around under these vital safety net programs. Her story is one of hardship and survival. It's a story of getting back up when life knocks you down. It's a story of America. She is the American Dream. But she and her spouse were teenage parents. They relied on public assistance to bring up their children. They were able to get good jobs and they got off of Federal assistance.

Well, in 1995, the bottom fell out. Their son was diagnosed with diabetes. Her world imploded. She tried to go back to work full time. Her son needed more care at home. She was given child care assistance so she could support her family and her son. She was offered counseling and job training and, in the fall of 2009, the opportunity to work at Second Harvest Food Bank as an administrative assistant through the Federal stimulus program. She said she's still married to her husband. They have three beautiful children. And there's no way she could have kept her family together without the help of such programs such as SNAP food stamps, Medi-Cal, and job training. She said, ''We found unknown strength, faith, and resilience in our downfall. We'll do everything that we can do to stay self-sufficient but cannot say enough about the blessed safety net.''

Mr. Speaker, we understand that even when you work hard and do things right, sometimes everyone needs a helping hand, especially when there are no jobs. I personally needed this helping hand in years past when I was forced during many hardships that I was faced with that I had to rely on for many years public assistance and food stamps and Medi-Cal just to get through school, to take care of my kids, to get a job. And if it weren't for that safety net, I would not be here today.

And so let me just ask all of you to remember the poor, remember those struggling to survive, and to support those people who have exhausted their benefits, their unemployment benefits. They hit the wall in 99 weeks. We need to add more weeks of unemployment compensation for individuals who deserve this help. The 99ers need help. We need to do this. We need to do more to create jobs. We need to help people survive until we have the vision and the backbone to do that here.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 5, 2011.

Hon. BARACK OBAMA,
President of the United States, The White House, Washington, DC.
Hon. JOSEPH R. BIDEN, Jr.,
Vice President of the United States, The White House, Washington, DC.
Hon. HARRY REID,
Senate Majority Leader, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Minority Leader, Washington, DC.
Hon. JOHN BOEHNER,
Speaker of the House, Washington, DC.
Hon. NANCY PELOSI,
House Minority Leader, Washington, DC.

DEAR MR. PRESIDENT; MR. VICE PRESIDENT; SPEAKER BOEHNER; MINORITY LEADER PELOSI; MAJORITY LEADER REID; MINORITY LEADER MCCONNELL: As you and your colleagues work to consider solutions to our nation's fiscal challenges, we urge you to ensure the protection of social service programs that serve as a life line for our nation's low income and poor communities who continue to feel the detrimental impact of the economic downturn.

As co-chairs of the Congressional Out of Poverty Caucus (COPC) working to eradicate poverty, it has always been our goal to ensure critical programs protecting the impoverished remain viable while also keeping poverty at the forefront of debate and action here in Washington. Programs such as Medicare and Medicaid, low-income housing benefits, and earned income tax credit benefits must not be put in jeopardy in the name of deficit reduction, which will only create a greater cost burden to us in the future.

Poverty has taken on an entirely new face as a result of the financial crisis, the recession, and our nation's slow economic recovery. The latest statistics estimate 14.3 percent or 43.6 million Americans living in poverty as of 2009, up from 39.8 million in 2008. Furthermore, the poverty rate for Blacks is 25.8 percent, for Hispanics is 25.3 percent, and for children under age 18 is 20.7 percent. According to the U.S. Census, ''the number of people in poverty in 2009 (43.6 million) is the largest number in the 51 years for which poverty estimates have been published.'' The recession has also left 13.9 million people unemployed, thereby putting another population at risk of falling into poverty.

We simply cannot afford to balance the budget on the backs of the poor. The COPC shares the concerns of an earlier letter sent to you in late June 27, 2011 by a list of think tank and nonprofit organizations advocating that deficit reduction efforts do not result in an increase in poverty. While we understand the need for fiscal responsibility, we also recognize the need to invest in programs that protect poor and vulnerable communities, especially in the face of economic hardship. Therefore, staying committed to safety net programs in health, education, housing, and employment is both a moral and economic responsibility that we cannot afford to ignore in the midst of deficit reduction efforts.

Sincerely,

BARBARA LEE,
Co-Chair, COPC.
JOE BACA,
Co-Chair, COPC.
G.K. BUTTERFIELD,
Co-Chair, COPC.
JOHN CONYERS,
Co-Chair, COPC.
MIKE HONDA,
Co-Chair, COPC.

VERONICA'S STORY ABOUT SNAP, MEDI-CAL AND JOB TRAINING, CALIFORNIA
(By Veronica of San Jose, CA)

I am the American Dream!

My name is Veronica, and I have such an immense gratitude for federal programs such as SNAP/Food Stamps and Medi-Cal.* I am ESPECIALLY grateful for the Federal Stimulus programs that finally got my family off welfare.

My spouse and I were teenage parents in 1990 and relied on welfare to bring up our daughter until 1993, when we were able to get good jobs and get off federal assistance.

We had our son in 1995 and thought we would never need welfare again. We were wrong. I cannot pinpoint an exact time when we crumbled, because we cracked slowly. My husband's two closest cousins were murdered and he began abusing drugs to cope. I pretended it wasn't happening and kept working harder.

The bottom fell out when my son was diagnosed with Diabetes (type 1) in 2001. My world imploded. I was on leave from work through the Family and Medical Leave Act because both of my parents had been diagnosed with diabetes earlier that year—and then my son. So I went back on welfare, because I could not go back to work.

Thank God I was given the opportunity to help myself and my family through the assistance of different federal programs. When I tried to go back to work full-time and my son needed more care at home, I was given child care assistance so I could support my family and help my son. I was offered counseling, job training, and in the fall of 2009, the opportunity to work at Second Harvest Food Bank as an administrative assistant through the Federal Stimulus program.

I knew I was a hard worker but needed an opportunity to show it. When the program ended I was offered employment permanently at the food bank. I was one of 2010's Client Success Stories for Santa Clara County.

I am still married to my husband Ray. We have three beautiful children, Danielle, Raymond Jr., and Albert. There is NO WAY I could have kept my family together without the help of the programs such as SNAP/food stamps, Medi-Cal, and job training.

I will not say I will never need federal assistance again, but my husband and I know things happen for a reason. We found unknown strength, faith, and resilience in our downfall. We will do everything we can to stay self-sufficient, but cannot say enough about the blessed safety net.

THE PROMISE OF AMERICA

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

Mr. WOODALL. I'm conflicted as I come to the floor today, Mr. Speaker. I'd actually planned to talk about tax reforms this morning. The Ways and Means Committee for the first time in 10 years is holding a hearing on the Fair Tax next Tuesday, July 26. The Fair Tax is a proposal that abolishes the income tax system in this country that punishes people based on what they earn and creates a consumption tax that rewards people based on how much they save. And as we talk about poverty here this morning, as we talk about how to get folks back on their feet, the problem in this country, Mr. Speaker, is not that we don't bring in enough revenue. It's that we spend too much money. There is a bias in our culture now towards consumption as opposed to thrift.

Now, when did that happen? I wish I were a better student of history. I know that Ben Franklin shared with us that ''a penny saved is a penny earned.'' I know that our colleagues in the past said if we talk about a million here and a million there, pretty soon we're talking about real money.

□ 1100

My grandfather was a United Methodist minister in the South Georgia Conference. He was a Navy chaplain during World War II, and went down and worked the South Georgia circuit after the war. They'd get together and get all the little nubs of the candles

that they would have during the year and melt them all together to put together those Christmas candles. I don't know if you all grew up with one of those Christmas candles in your home, but they couldn't afford to go out and buy a candle. They had to put together all the nubs and put in the wick themselves.

My dad tells the story of a lot of cold winters and a lot of very hot summers. He tells the story of every time the Klan would threaten to come and burn a cross on the lawn, my grandfather would sit out there on the front porch in his rocking chair with a shotgun. If you can picture that: a United Methodist minister, a man of peace, sitting out there on the porch with his shotgun, but that's the way things were in that part of the world and in those days.

And then he went on to become the superintendent of the United Methodist children's home in the South Georgia Conference. He died about a decade ago without two nickels to rub together, but it was the largest funeral I had ever seen in my life, because he touched people, he nurtured people, he reached out to those who didn't have anyone else to advocate on their behalf. His entire career he spent building people up. His entire career he spent reaching out to those who had no one and being their ''someone.''

As this discussion goes on here this morning, I promise you there is not a bureaucrat in Washington, D.C., there is not an agency funded by Federal dollars, that loves people like my grandfather loved people. There's not one. There is not one bureaucrat in Washington, D.C., and there is not one agency under Federal control that loves children the way my grandfather loved children.

Folks, we have a choice each and every day that's going on in this debate that we're having over deficits, debts and defaults. Freedom and security. My big fear is not that there's going to be a default on United States debt. My big fear is that there's going to be a default on the promise of America. My big fear is that the government is doing so much, that we as people may think that we get to do so little, that government's not taking care of anyone. The government is taking from people who would have taken care of someone and is stealing that responsibility for nurturing our neighbors.

It is not the government's job to feed the hungry in my community. It's my job. It's not the government's job to reach out to the least of these. It's my job. As we're talking about children here on the House floor today, as we're talking about the most vulnerable of these, I think back to STENY HOYER's words in 1995, that when it comes to balanced budgets, when it comes to running up deficits, the person who gets hurt the worst when reckless government spending goes unchecked are the least of these, are the children. I agree with him a hundred percent.

What are we teaching our children today? What are we teaching our children about our responsibility as individuals to take care of one another? Where is the proposal? I've been in Congress 7 months now. There has not been a single proposal to encourage individuals to take care of one another. Time and time again what there are, are proposals to take away the responsibility from individuals of taking care of one another and to transfer that responsibility to government.

Now, I say that with passion. I know, Mr. Speaker, as you know, that everyone who brings those proposals to the floor brings it with a full heart. I do not question the motivations or the intentions of anyone who is reaching out to the least of these. I only question the results.

Mr. Speaker, the longest and most expensive war in this country's history is not the war in Afghanistan. It is the war on poverty, and the government's results are poor. We need to put it back in the hands of individuals.

SETTING THE RECORD STRAIGHT ON THE STIMULUS

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

Ms. BROWN of Florida. Thank you, Mr. Speaker.

The best anti-poverty program is a job. The stimulus bill saved 3.3 million jobs just this year. After 8 years of reverse Robin Hood under Bush, we were losing 800,000 jobs a month. I repeat: We were losing 800,000 jobs a month. Eight hundred thousand people headed toward poverty. The stimulus bill reversed the slide toward poverty for this Nation.

Earlier this week, I submitted data for the CONGRESSIONAL RECORD showing that the stimulus bill has funded 700,000 education jobs, more than all of the jobs lost due to Hurricane Katrina and the BP oil spill combined. Today, I submit for the record data on jobs saved or created by transportation funding in the stimulus bill. Since February 2009, 335,000 positions have been funded directly by the Department of Transportation. That figure does not include the jobs indirectly created by the stimulus bill as States and local governments leverage these funds for improvements that get goods and services moving throughout this country.

So far, the DOT has paid out $30 billion in grants and has authority for another $18 billion. Over 15,000 projects have been made possible by the stimulus bill. Mr. Speaker, can anyone seriously argue that $48 billion for roads, rails and infrastructure will not put millions of people to work? Of course they can't.

In my district, construction of a new Amtrak station in Sanford, Florida, employed 46 subcontractors. Forty-five of them are from Florida. Does anyone want to call that a disaster?

The real disaster is that we didn't put enough money in the stimulus bill for transportation. This country gets a failing grade for the conditions of our roads and bridges, and we're going to have disaster after disaster like what occurred in Minnesota, the collapsing of the bridge that killed people.

Mr. Speaker, the stimulus bill put us on the road to recovery, and I will continue to set the record straight. Let's not stop this recovery by reversing course. The pending transportation reauthorization bill will take us backwards a decade and will kill the millions of jobs. That is what I call a disaster.

I am placing in the RECORD the transportation and how much each State received and how many jobs it created. For example, in Florida, 782 projects, over 16,000 people put to work. Let me just mention one other State—Pennsylvania, 384 projects, 13,000 jobs reported.

Mr. Speaker, people come to this floor and they talk all the time, and I guess people on TV think that what they're saying is actual, or factual. You can fool some of the people some of the time, but you can't fool all of the people all of the time.

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009—DEPARTMENT OF TRANSPORTATION GRANTS AS OF MARCH 31, 2011

State	Projects	Total Awarded	Funds Per Capita	Jobs Reported
Alabama	364	$689,783,797	$146	4107
Alaska	54	388,794,321	557	2771
American Samoa	4	8,468,599	N/A	348
Arizona	249	808,989,561	123	7964
Arkansas	150	422,379,045	146	4021
California	1244	7,348,869,737	199	33355
Colorado	151	667,300,538	133	6441
Connecticut	169	472,631,172	134	6667
Delaware	49	143,098,747	162	1196
District of Columbia	26	1,733,232,733	2,890	13812
Florida	782	1,839,648,149	99	16596
Georgia	438	1,136,153,103	116	11212
Guam	12	30,591,897	N/A	186
Hawaii	39	214,745,880	166	3185
Idaho	107	221,927,181	144	2235
Illinois	920	2,727,586,568	211	10433
Indiana	1163	828,803,322	129	6910

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009—DEPARTMENT OF TRANSPORTATION GRANTS AS OF MARCH 31, 2011—Continued

State	Projects	Total Awarded	Funds Per Capita	Jobs Reported
Iowa	255	424,232,778	141	3741
Kansas	180	397,374,332	141	3465
Kentucky	183	518,755,460	120	5079
Louisiana	156	578,683,578	129	4313
Maine	91	212,986,398	162	1252
Maryland	191	649,531,314	114	4029
Massachusetts	152	897,777,105	136	4173
Michigan	819	1,139,143,390	114	10209
Minnesota	266	692,002,343	131	4104
Mississippi	199	419,224,091	142	4988
Missouri	377	800,082,800	134	5269
Montana	98	305,897,160	314	3344
Nebraska	142	272,964,222	152	2493
Nevada	89	331,090,324	125	2844
New Hampshire	54	154,196,422	116	1192
New Jersey	202	1,156,651,333	133	8467
New Mexico	129	355,934,416	177	2927
New York	521	2,853,649,172	146	14377
North Carolina	460	1,413,137,683	151	10512
North Dakota	184	211,838,719	328	1369
Ohio	493	1,313,714,616	114	10045
Oklahoma	304	646,213,981	175	5174
Oregon	385	530,282,667	139	3560
Pennsylvania	384	1,450,896,521	115	13060
Puerto Rico	65	186,789,071	N/A	1597
Rhode Island	84	205,287,296	195	1656
South Carolina	219	552,208,453	121	3922
South Dakota	65	250,604,563	308	2717
Tennessee	370	839,526,398	133	6448
Texas	642	2,851,769,034	115	25458
U.S. Virgin Islands	11	31,184,858	N/A	319
Utah	143	398,498,657	143	2577
Vermont	82	198,703,920	320	1181
Virginia	193	934,531,617	119	7558
Washington	306	1,467,863,369	220	9414
West Virginia	184	253,292,304	139	2013
Wisconsin	479	699,094,342	124	4252
Wyoming	77	202,044,754	371	1934
Totals	15155	$46,480,663,811	$11,312	$332472

Sources:
http://www.dot.gov/recovery
http://www.recovery.gov/Transparency/RecipientReportedData/Pages/StateTotalsByAgency

DEBT CEILING

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

Mr. SHUSTER. Thank you, Mr. Speaker.

The time for talk is over. The time for action has come. We are in a spending-driven debt crisis. Washington is spending money it doesn't have, and it's leaving the American people, our children and our grandchildren, with the tab. The national debt now stands at $14 trillion, which is equal to 95 percent of the economy of the United States.

In his first 2 years in office, President Obama has added more to our national debt than was added between 1776 and 1992, totaling close to $4 trillion in new debt in less than 36 months. We are now borrowing 40 cents on every dollar. I was a small business owner before I came to Congress, and if I borrowed 40 cents on every dollar, my business would have been out of business. American families know that if they're borrowing 40 cents on the dollar, it's not long before they're in crisis.

President Obama inherited an economy in distress. There's no denying that. However, practically every decision he has made and every policy he has pursued has made matters worse. Between a failed trillion-dollar stimulus and a trillion-dollar government takeover of health care, this administration has spent without restraint and without regard to our financial health.

If spending is the problem, then controlling Washington spending is the solution. My colleagues stand on the House floor and talk about increasing revenues by raising taxes, but history tells us a different story. We can raise revenues by lowering tax rates. President Kennedy did it in the sixties, President Reagan did it in the eighties, and even President Bush in 2000 when he lowered tax rates. What happened was not a decrease in revenues to the Federal Government but an increase. In fact, in 2000, after the 2001, '2 and '3 tax cuts, we had record revenues in the Federal Government.

Our problem is spending. That's why I joined my colleagues in voting to pass Cut, Cap, and Balance. My passing this legislation, the House stepped in and filled the vacuum of leadership left by the President of the United States in the debt limit negotiations. We acted to cut spending by over $110 billion, cap the growth of spending, and force Congress to balance its books through a constitutional balanced budget amendment.

No one wants the United States to default on its debt. The consequences would be dire, not only for our economy but for the world. However, we cannot continue down the path that has led us to this crisis. The House has acted. It's time for the President to step in and act as well.

□ 1110

LET OUR EYES REST UPON WHAT POVERTY IN AMERICA TRULY IS

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

Ms. JACKSON LEE of Texas. I would like to particularly thank the Out of Poverty Caucus: Congresswoman LEE, Congressmen TOWNS, CONYERS, HONDA, and a number of other Members who have joined that caucus and all of us who are here on the floor who are members of that caucus and who believe that this could not be a more important time.

A few days ago, I got on the floor to rename the Cut, Cap, and Balance legislation that was passed that would cut $6 trillion out of the hearts and needs of the American people. I called it the ''Tap Dance, Losers' Club, and Bust the Benefits'' bill because this is not a question of Members who are standing here today, wanting to recklessly spend your money. In fact, we are excited about opportunities that help boost the middle class, but we want to remind our colleagues that there are Americans who are impoverished.

Do you know that there are Americans who are on the front lines—young soldiers of the ages of 18, 19, 20, and 21 who have come out of places like the Delta in Mississippi or the Fifth Ward in Texas or the Appalachian Mountains or from the urban centers around the Nation—who are suffering from the highest degree of poverty, not poverty that they have generated on themselves?

Yes, there are issues sometimes with legacy poverty: families that have never broken the cycle, who are living in public housing or, even worse, who are living in housing that is not fit to be lived in. Travel in some of the shoes that many of us travel in, and go to places in America where there is no running water.

So we come today to acknowledge the fact that there is poverty in America.

In my own State, the people who are living in poverty rose to 16.3 percent in 2007 and to 17.2 percent in 2009—and we happen to be the second largest State in the Nation. Those are large numbers of individuals. We have the highest number of soldiers in the State of Texas who have come back from Iraq and Afghanistan, some of whom have had to access food stamps. The Kaiser Family Foundation estimates that there are currently 5.6 million Texans living in poverty. 2.2 million of them are children.

So I stand here today.

Let our eyes rest upon what poverty truly is.

This little one is a symbol of what poverty really is. It is the innocent and those who cannot speak for themselves.

Over 50 percent of the children who are in foster care in Harris County—that is in Texas—happen to be minority children, African American children. I remember my late colleague Mickey Leland was so overwhelmed by the depth of children who were in crisis and in need that he organized something called the ''crisis cradles'' so that, when babies had to be taken out of a distressed home in the middle of the night, they could come to a comforting place. Those babies were in poverty, were in crisis, and they became part of the foster care system. That is a system that needs money, not because they're deadbeats, but because they are innocent children who have come into home situations where women are impoverished, where there may be abuse.

Poverty comes in all forms. 3.9 million residents of Texas rely on the Supplemental Nutrition Access Program. This is all discretionary funding which the $6 trillion would devastate—again, tap dancing around lifting the debt ceiling. President Reagan said to Majority Leader Baker that it would be an incalculable devastating result if, at the time that he was President, the debt ceiling was not raised. By the way, it was raised 17 times.

Does anyone understand that, constitutionally, the debt ceiling may be unconstitutional? The 14th Amendment, section 4—read your Constitution—says that all debt of the United States, public debt, should be recognized.

So just to conclude, Mr. Speaker, we come today to let America know: Should we let this little baby be part of the losers' club or should we let our soldiers and their families and grandmothers and grandfathers be part of the losers' club?

We are standing here today for the impoverished, and we are committed to fighting for them.

I would like to thank my friend from California for managing this time and drawing attention to the millions of Americans living in poverty.

In the coming weeks and months, this Congress will continue to debate the debt ceiling and budget. However, as we discuss cuts, it is imperative that we not lose sight of how funding reductions affect the American people.

CFPB regulations enacted by the bureau are designed to protect the average consumer from fraud and abuse, and prevent financial institutions from employing unfair practices.

In 2009, there were 43.6 million Americans throughout the nation living in poverty. The 2010 Federal poverty threshold, determined by the U.S. Census, is that a family of four is considered impoverished if they are living on less than $22,314 per year.

Children represent a disproportionate amount of the United States' poor population. In 2008, there were 15.45 million impoverished children in the Nation, 20.7 percent of America's youth.

In my home state of Texas, where I represent the 18th Congressional District, the percentage of people living in poverty rose from 16.3 percent in 2007 to 17.2 percent in 2009. The Kaiser Family Foundation estimates that there are currently 5.6 million Texans living in poverty, 2.2 million of them children, and that 17.4 percent of households in the state struggle with food insecurity.

We must not, we cannot, at a time when the Census Bureau places the number of Americans living in poverty at the highest rate in over 50 years, cut vital social services, not when in the wake of the 2008 financial crisis and persistent unemployment so many rely on Federal benefits to survive.

In April 2011, 3.9 million residents of Texas relied on the Supplemental Nutrition Access Program (SNAP) and other food stamp programs to feed their families.

The Republican budget reforms SNAP benefits into block grants, and caps the amount of Federal funding available to the program, with no guarantee that the allocated funding will be sufficient to meet the demand of low income families struggling with hunger.

The Republican budget also cuts $504 million from the Women, Infant and Children (WIC) Program, which provides nutritious food to struggling mothers and children. The USDA reports that more than 990,000 Texas families rely on WIC for essential nutrition to keep mothers and their children healthy.

The Congressional Budget Office estimates changes to Medicare under the Republican budget plan will triple the cost for new beneficiaries by 2030 and increase costs for current recipients, including the 2.9 million people in Texas who received Medicare in 2010.

The Republican proposal will enact damaging changes to Medicaid, threatening healthcare resources for the 60 million people, half of them children, that rely on this program to stay healthy. A block grant for funding or a cap on federal Medicaid spending would increase the cost for states and the low income families who benefit from the program.

Harris County has one of the highest Medicaid enrollment records in Texas. Limits and cuts to Medicaid funds would significantly hurt the citizens of Texas's 18th District. Harris County averages between 500,000 and 600,000 Medicaid recipients monthly, thousands of people who may not have access to healthcare under this budget.

Yes, we must take steps to balance the budget and reduce the national debt, but not at the expense of vital social programs. It is unconscionable that in our Nation of vast resources, my Republican colleagues would pass a budget that cuts funding for essential social programs benefitting children and the elderly in order to finance $800 billion in new tax cuts for the wealthiest among us.

Perhaps my friends on the other side of the aisle are content to conclude that life simply is not fair, equality is not accessible to everyone, and the less advantaged among us are condemned to remain as they are, but I do not accept that. That kind of complacency is not fitting for America.

I firmly believe that all Americans can come together to protect the most vulnerable citizens in the Nation, to provide relief for the poor and the hungry, because 43 million of our fellow countrymen living in poverty, 15 million of them children, is simply unacceptable. Finally, where are the jobs—cutting $6 trillion will not create jobs. I am here to create jobs for the poor and our American families.

I urge every Member in this Chamber to look at what unites us rather than what divides us. We are linked by our compassion, and bound by the fundamental edict of the American dream that says we will strive to provide our children with a better life than we had. We can, and we must reach a compromise that will not cut valuable services from those who need government the most.

I thank my friend, the gentlelady from California.

COMPROMISING AMERICA FOR THE SAKE OF A DEAL

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

Mr. LANDRY. Mr. Speaker, when I ran for this office, I didn't run to get a job. I ran to create jobs.

I know that there is a new poll out there, supposedly, that tells us that a vast majority of Independents wants us to compromise for a deal; but the question which all of the Members of this House should poll their constituents and the American people on is whether or not they want this Congress to compromise their country for a deal.

Do we compromise our country for the sake of simply getting a deal?

I also ran to uphold the Constitution. I supported Cut, Cap, and Balance. It is the compromise that I came here to make. I compromised in agreeing to raise the debt ceiling if we get real cuts, if we cap our spending and if we do what a vast majority of the States in this country do—and that is to have a balanced budget amendment.

What is so wrong with this balanced budget amendment? It's hard for me to understand, Mr. Speaker.

Then along comes the Gang of Six. Let's see what the Gang of Six has.

Part one is that they cut $500 billion in gimmicks compared to our real cuts. How do they cut $500 billion? Part of it is by changing the CPI formula and indexing for Social Security. Only in this city does the law of mathematics not work. You see, when I was in the second grade, I was taught that 2 + 2 is 4 and that 2×2 is 4. That hasn't changed. It's still that today. But in this town, when you get inside this Beltway, mathematics is different. You can get a different outcome based upon a different formula.

Then the second part is they used the reconciliation process in order to control our spending. Let's see. The last

time we used the reconciliation process, we got ObamaCare. That's how they passed ObamaCare. Mr. Speaker, they used the reconciliation process to pass ObamaCare; and I have a feeling that what we're going to get out of this Gang of Six is a bill that they're going to ask us to vote for before we know what's in it.

□ 1120

Thirdly, if through this reconciliation process they come out with the cuts that are necessary to bring them within the amount that they allocate that we need to cut and save, then if that reconciliation process produces a supermajority in the Senate, only after they produce a supermajority of votes in the Senate will they move to shoring up our Social Security system.

What they should be doing is working on getting a supermajority so we can pass a balanced budget amendment to the Constitution. What is so wrong with giving the American people the opportunity to speak, to say, Congress, you have been out of control. You need to balance your books like all of the American families in this country do.

In closing, I want to warn our Members in this Chamber that the Gang of Six proposal cedes the power of the House to the Senate. Now, I came here to uphold that Constitution. The power of the purse, article I, section 7, clause 1, gives the power of the purse to this House. Regardless of whether you are a Democrat or a Republican, you should care about that. Those committees in the Senate should not be dealing with our tax laws or they should only deal with them after we have had a chance to send it to them.

This is what the American people demand. They demand that our Constitution work. And for it to work, revenue and spending starts here in the House. Let's not cede the power of the House over to the Senate.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2055. An act 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.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2055) ''An Act 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'' and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON (SD), Mr. INOUYE, Ms. LANDRIEU, Mrs. MURRAY, Mr. REED (RI), Mr. NELSON (NE), Mr. PRYOR, Mr. TESTER, Mr. LEAHY, Mr. KIRK, Mrs. HUTCHISON, Mr. MCCONNELL, Ms. MURKOWSKI, Mr. BLUNT, Mr. HOEVEN, Mr. COATS, and Mr. COCHRAN to be the conferees on the part of the Senate.

IMPACT OF CUTS ON POVERTY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. CARSON) for 2 minutes.

Mr. CARSON of Indiana. Mr. Speaker, it is very easy for some Members of Congress to blindly advocate across-the-board cuts to our investments in people. But I join those today to ask my colleagues to open their eyes to what these cuts really mean. They aren't abstract numbers. For the many people living in poverty, they mean lives irreparably damaged and critical opportunities lost.

My home State, the great Hoosier State of Indiana, suffers from an average unemployment rate of 10 percent. Among veterans, that number is higher. And for wounded vets and others with physical limitations, the numbers are staggeringly higher.

As a result of these economic times, Mr. Speaker, more families live in poverty and rely critically on your and my help. Valuable health care, education, housing, and job-training programs are necessary to provide them with the tools for survival.

At this time, Mr. Speaker, when most of our communities are struggling to recover, we must not turn our backs on the people who are trying to overcome extreme poverty.

I ask my colleagues to remember these vulnerable Americans. They're not burdens. They're our children, our working mothers, our police officers, our firefighters, our neighbors, our vets. They are our fellow Americans.

TRIBUTE TO SERGEANT NATHAN BEYERS

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

Mr. COFFMAN of Colorado. Mr. Speaker, today I rise to honor a soldier who made the ultimate sacrifice and laid down his life for our freedoms, United States Army Sergeant Nathan Ryan Beyers.

Sergeant Beyers, a 2006 graduate of Thunder Ridge High School in Highlands Ranch, Colorado, volunteered to serve in the Idaho Army National Guard. In the Army, he served with the 145th Brigade Support Battalion of the 116th Cavalry Heavy Brigade Combat Team.

He deployed with his unit in support of Operation New Dawn in Iraq. On July 7, 2011, he gave his life in the line of duty on a convoy security mission.

Nathan is remembered not only for his heroics on the battlefield, but for the tremendous impact he had on his family, friends, and community.

He was absolutely devoted to his family and his fellow soldiers. As his wife recalls, Nathan was proud of his job and serving our country. He died doing something he loved and was such a brave person.

Sergeant Nathan Ryan Beyers personifies the honor and selflessness of service as a citizen soldier. His bravery and dedication to duty will not be forgotten. As a Marine Corps combat veteran, my deepest sympathies go out to his family, his fellow soldiers, and all who knew him.

OUT OF POVERTY CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TOWNS) for 2 minutes.

Mr. TOWNS. Mr. Speaker, let me just sort of set the record straight and explain things.

When President Obama came into office, we were in debt, and we were also involved in two wars. And when President Clinton left office, there was a surplus. So we need to make certain that we keep our facts in line.

So I stand here this morning with the Out of Poverty Caucus to voice my opposition to the Cut, Cap, and Balance Act passed by this body yesterday.

Furthermore, I'm very disturbed that many of the policies being promoted by some of my colleagues are unjust and they are just plain wrong. Cutting back on Medicare and Social Security is unfair to the senior citizens who have worked hard all of their lives and should not have to worry at this point whether they can afford to go to the doctor or buy the medicine that they need.

Let me add, I am baffled at times by the fact that many of my colleagues refuse to even consider how unjust their proposals are. Yes, we must reduce our debt burden. I agree with that. But it is unjust to balance the budget on the backs of the poor and most vulnerable citizens in our Nation.

The wealthy must join in the sacrifice. They must be included. According to a report by the Center on Budget and Policy Priorities, two-thirds of the income gains in the United States from 2002 to 2007 went to the top 1 percent of the income earners. Many of my colleagues are saying give them more tax breaks. They're not even asking for more. But they're saying give them more.

Many of the Members of this body believe it's all right to balance the budget by taking food out of the mouths of babies, by cutting WIC programs. Imagine how terrible it must be for a mother or father to send their kid to bed hungry at night.

That is why I stand for the Out of Poverty Caucus and say enough is enough.

SLASHING MEDICARE AND MEDICAID

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) for 3 minutes.

Mrs. CHRISTENSEN. Mr. Speaker, the Republican leadership has taken us to the brink of a default crisis by holding the debt ceiling and our ability to pay our bills hostage. Their latest slash, burn, and kill Medicare and Medicaid bill, otherwise known as Cut, Cap, and Balance, is putting the full faith and credit of our Nation at risk and threatening critical safety nets for our seniors, people with disabilities, and the poor, including our Nation's children.

Medicare covers over 4 million African Americans, over 4 million Latinos, and close to 2 million of other people of color—citizens with higher poverty rates who have some of the most serious health problems. Our seniors and people with disabilities rely on Medicaid for long-term care and there are 9 million dual eligibles, low-income seniors and younger persons with disabilities, who are enrolled in and rely on both Medicare and Medicaid.

□ 1130

Nearly three in every four poor or near-poor African Americans and Latinos are covered by Medicaid, but 64 percent of low-income black children and 63 percent of low-income Latino children are on Medicaid. Medicaid also provides critically important support to all Americans who lost their jobs as a result of the economic downturn.

In the Affordable Care Act, the Democrats strengthen Medicaid. And contrary to what you hear from our Republican colleagues, we use $500 million in savings identified in Medicare to strengthen it, to extend its solvency, and to begin to close the doughnut hole.

In this risky standoff, it is clear that Medicare and Medicaid payments are at risk, and African Americans and other racial and ethnic minorities, and the poor who are already underwater and who rely on them for coverage, will bear the overwhelming brunt of the cuts, as will the providers and facilities that care for them. This is unacceptable. Then the loss of the economic multiplier effect that States would experience as a result of Federal Medicaid cuts would be even much greater than the amount of the Medicaid cuts themselves.

We're calling on the Republican leadership to do what we all know must be done to release the debt ceiling and all of the people who are being held hostage with it, the poor, racial and ethnic minorities who we stand here on behalf of today with the Out of Poverty Caucus.

I quote Dr. Martin Luther King, Jr., who said, ''Of all the forms of inequality, injustice in health care is the most shocking and inhumane.'' We must avert the default crisis. Colleagues, let's lift the debt ceiling, let's pay our bills, and let's avoid an economic catastrophe that the good people of this country do not deserve and cannot withstand.

AMERICAN ECONOMIC DISPARITIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DAVIS) for 2 minutes.

Mr. DAVIS of Illinois. Thank you, Mr. Speaker.

Whenever I hear a Member of Congress proposing austerity as a fix for any or all of our Nation's economic problems, whether the problems are real or perceived, my first reaction is ''austerity for who?''

The fact is that in recent years we've been condemning more and more Americans to austerity then ever before while at the same time we continue to hand out tax breaks and fat government contracts for the wealthiest Americans, and the largest and wealthiest corporations. After getting bailed out, the profits at the largest financial institutions have recovered and then some—bonuses for their CEOs have recovered, and then some, but this Congress refuses to ask those institutions and those CEOs, and others like them, to give back just a little.

The latest census data dramatically shows how after African Americans had made significant gains in the 1950s and '60s, progress began to stall in the 1970s. Four decades after the civil rights movement, blacks still earn only 57 cents and Latinos earn 59 cents for each $1 of white median family income in our country. The contrast is even starker for net worth. That is, the total value of investments, savings, homes, and other property, minus debt. Blacks hold only 10 cents of net wealth and Latinos 12 cents for every $1 that whites hold.

Out of the 43.6 million Americans living below the poverty threshold, 9.9 million of those are African Americans. Meanwhile, the latest unemployment rates are, to say the least, grim. Overall, African American unemployment, 16.2 percent; African American men, 17 percent; black teenagers, about 40 percent—and this Congress can't find the votes to extend unemployment insurance. I say that our policies must reflect the needs of those who are most vulnerable. We must provide opportunity for the needy and not just the greedy.

When I see that the median annual Social Security benefit for a 65-year-old single African American woman is $10,680 which puts the median benefit for African American woman seniors just above the 2010 poverty line for individual seniors, an obscenely low $10,458. And when I couple that with the knowledge that nearly half—45.6 percent—of non-married African American women aged 65 older rely on Social Security for all of their income and 54.1 percent rely on it for 90 percent of their income or more. And, worst of all when I recall that non-married African American women seniors already suffer from high rates of poverty and near-poverty, nearly half—47.8 percent—of African American women living alone have an income under 125 percent of poverty, and one-third—33 percent—have income below 100 percent of the poverty line . . .

Well, I just have to say to those who are talking of reducing Social Security benefits, or the annual Social Security COLAs, or raising the age for collecting Social Security ''austerity for who?''

When I pick up the paper every morning and have to read over and over that home foreclosures were two-and-a-half times above the 2001 rate by the end of 2010 and that some 3.7 million homes are in danger of foreclosure and this Congress, instead of addressing the epidemics of unemployment and foreclosure, plays politics with raising the debt ceiling;

I can't help but remember that, for all the hubbub about the size of government and Federal spending, the Bush tax cuts increased the deficit by $1.7 trillion between 2001 and 2008 and the two wars begun by President Bush added another $1 trillion to the deficit and Bush Administration's policy of deregulation of the financial markets led ultimately to the bursting of the housing bubble which triggered the Great Recession which not only sapped our federal budget, but have decimated state and local budgets in every corner of the nation. I have to demand of those risking default and tipping the nation into depression ''austerity for who?''

I have to wonder why we aren't talking about the fact that since the recession officially ended in June 2009, private payrolls have increased by more than 1 million workers, still nowhere close to putting 14 million Americans back to work, but State and local government payrolls for teachers, fire-fighters, police officers, public health workers and other critical services have declined by 493,000—cutting the number of jobs created almost in half while the loss of those good jobs reverberate throughout the local economies. My obvious question is ''austerity for who?''

I wonder if some Members of Congress just don't know that Medicaid covered half of all Black children in the United States and nearly two-thirds (64%) of low-income Black children. Medicaid covers over a third (35%) of African Americans in fair or poor health and 59% of African Americans living with HIV/AIDS. Shouldn't we expect and require of those who are proposing to slash Medicaid an answer to: ''austerity for who?''

I am just as concerned about balancing the Federal budget as any Member of this Congress, but there are a lot of ways to do that. The Peoples' Budget proposed by the Progressive Caucus would get us to a balanced budget and would put us on the road to paying down the debt and lay the foundation for a healthy, sustainable and just economy.

I've reached the conclusion that we do need a Constitutional Amendment, not a Balanced Budget Amendment, but one that would require Members of Congress who glibly propose austerity as a quick and dirty solution to every challenge which comes over the horizon to explain to the American People, truthfully and fully, in each and every case, ''austerity for who?''

CRASH, SLASH, AND TRASH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. SCHAKOWSKY) for 2 minutes.

Ms. SCHAKOWSKY. Last year, John Carlson, a hedge fund manager, made about $5 billion and paid taxes at a lower rate than most Americans. Right now, the 400 richest Americans in our

country control as much wealth as 150 million other Americans. We have a crisis, all right, in our country, and it's called a disappearing middle class. The rich getting richer, the poor getting poorer, and the middle going into poverty.

We have a jobs crisis in our country. And poverty has taken an entirely new face as a result of the financial crisis, the recession, and our Nation's slow economic recovery. In Skokie, Illinois, a solid middle class suburb, now 40 percent of the kids who go to school there qualify for a reduced or free lunch. And the food pantry is bulging now with new people waiting in line. I went to a mortgage foreclosure workshop in suburban Des Plaines, Illinois, and I felt like I was watching the American Dream slip through the fingers of hardworking Americans. More than one in five children is now called ''food insecure,'' meaning they go to bed hungry some nights.

And what have the Republicans decided to do? They decided to cut the programs that will help those people. That's how they want to reduce the deficit. They passed a bill called the Cut, Cap, and Balance bill. And it cuts, and it caps, and it balances. It cuts Medicare. It caps Medicaid. And it balances the budget on the backs of the seniors, the poor, and the WIC program, taking food out of the mouths of hungry children. There is something very wrong and very un-American with the Republican proposal that makes it easier to cut Medicare than to cut subsidies for oil and gas companies; easier to cut Social Security than to ask for one penny more for the billionaires, like John Carlson, and easier to cut subsidies for food for little children than to cut subsidies for corporate jets.

I heard from a woman who lives on $1,023 a month. That's her Social Security. And she doesn't have enough money to make it through the month and often goes hungry. Is this right in the richest country in the world? We can reduce our debt, but not on the backs of the middle class that are becoming poor and those who are already poor.

AMERICANS NEED WORK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 3 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, according to the latest figures available, an estimated 43.5 million Americans are living in poverty. Ladies and gentlemen, that's more than the entire State of California. Unbelievable. Communities of color continue to be disproportionately affected by poverty. The national unemployment rate is 9.2 percent. In my home State of Georgia, it's even higher, at 9.8 percent.

With millions of Americans in poverty and a high unemployment rate, you would think the Congress would do what it was elected to do, which is to create jobs and pass legislation that spurs economic growth. But in the past 7 months, the Republican majority has not moved one single jobs bill. Instead, this House majority is pushing bills through that take away Grandma's Social Security check, dismantle the Affordable Care Act, which would provide health care to millions of uninsured Americans, and cut a first-generation college student's Pell Grants. They want to crash our economy by ignoring the need to raise the debt ceiling and ignoring the catastrophe that would occur if we don't. Instead of bringing us opportunities and the American Dream, the Republican majority gives us cut, cap, and kill. Kill Medicare, Social Security, Medicaid. Those are the prisoners who are awaiting execution. It's really about crash, slash, and trash.

Staying committed to safety net programs and health, education, housing, and employment is both a moral and an economic responsibility that we cannot ignore. However, Congress seems to be doing all that it can to keep families from getting back on their feet during times of economic distress. They shouldn't be trying to pull the wool out from under the people of this great Nation, regular working people.

The record debt run up by the Bush administration was a direct result of Republicans' two unfunded wars, failed economic policies, and failed oversight of the financial services sector. And what we need to do is support more programs like Pathways Out of Poverty, which puts residents in my district back to work doing green jobs. But instead, what we want to do is give Rupert Murdoch a tax break and give all of the big oil companies tax loopholes that you could drive a submarine through. Americans need to go to work. So let's focus on getting Americans what they need, which is jobs, jobs, jobs.

RECESS

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

Accordingly (at 11 o'clock and 40 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

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

Once again we come to You to ask wisdom, patience, peace, and understanding for the Members of this people's House. The words and sentiments that have been spoken and heard in these recent days were born of principle, conviction, and commitment.

We ask discernment for the Members, that they might judge anew their adherence to principle, conviction, and commitment, lest they slide uncharitably toward an inability to listen to one another and work cooperatively to solve the important issues of our day.

Give them the generosity of heart and the courage of true leadership to work toward a common solution, which might call for compromise, even sacrifice, on both sides. We pray that their work results not in a result where some are winners and some losers, but where all Americans know in their hearts that we are winners.

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

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 Minnesota (Mr. WALZ) come forward and lead the House in the Pledge of Allegiance.

Mr. WALZ of Minnesota led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches.

DEBT CONTRIBUTION ACT

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

Mr. STIVERS. Mr. Speaker, sometimes small steps can make a big difference, and often the best legislation comes from our constituents. That's the case with legislation that I have introduced called the DEBT Contribution Act, which gives Americans simpler ways to make a tax-deductible contribution specifically to reduce our national debt.

Recently, I have received letters from constituents like this one asking how they can donate funds to pay down our national debt. I voluntarily give $700 out of every paycheck to go toward paying down the national debt, and I want to make it easier for like-minded citizens to do the same. That's why I've sponsored the DEBT Contribution Act. It does three things:

First, it creates a check-off box on the individual tax return form to make it more user friendly to give a tax-deductible contribution to pay down the national debt.

Second, it makes sure that 100 percent of those funds are used to reduce the national debt and not redirect it for any purpose.

And, finally, it makes it clear that it is tax deductible, as it has been to give that charitable contribution.

Our national debt is now $14.2 trillion, and we need to do everything we can to pay down our national debt. I urge my colleagues from both sides to support this measure.

JOBS

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

Mr. BACA. Madam Speaker, on Tuesday, we passed one of the worst bills I have ever seen in my time in Congress.

The cut, cap, and default plan jammed through by the Republicans is not a real solution to our fiscal crisis. Instead, it threatens Medicare benefits, and it increases out-of-pocket expenses for seniors. It's just another example of special interests holding our country hostage to protect tax breaks for the wealthiest few.

It has been 28 weeks since the Republicans took control of the House, and we have not seen a jobs bill. Instead, we see a bill that makes seniors suffer while cutting taxes for the ultrarich and corporations that shift jobs overseas.

The Bush tax cuts for the wealthy have failed to create jobs. We need a balanced solution to go forward. No new taxes, no new jobs.

Let's work on a plan that solves our Nation's deficit without making our seniors and our middle class pick up the tab.

HONORING TERRE HAUTE POLICE OFFICER BRENT D. LONG

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

Mr. BUCSHON. Madam Speaker, I rise today to honor Terre Haute Police Officer Brent D. Long. Officer Long was killed in the line of duty on July 11, 2011, while assisting to serve a felony warrant.

A proud member of the Terre Haute, Indiana, Police Department for 6 years as a K–9 handler and a member of the department's SWAT team, Officer Long was 34 years old.

Terre Haute has lost one of its finest citizens, and the community will forever be indebted to Officer Long's service. His sacrifice and valor should be commended, and I would like to offer my most heartfelt condolences to Officer Long's family, friends, and to the Terre Haute Police Department, who have lost one of their own.

WE NEED A CLEAN ENERGY STRATEGY

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

Mr. INSLEE. Madam Speaker, as we search for a bipartisan solution to our fiscal short-term and long-term issues, I don't think we should be unmindful of what is really happening in the real world. In the real world, there are two things: One, we have a jobs crisis; and, two, we have Americans sweltering from coast to coast with unprecedented heat. And these things are connected, because if we adopt a clean energy strategy to develop clean energy sources, we can prevent our climate from continuing to change, which left unabated will leave New York City with three times the number of days with over 95 degree temperatures in the next several decades.

We need to have an energy policy that will invest in those clean energy jobs. And as we look for this bipartisan solution, let's not cut off our energy research, which is going to be successful building a new clean energy strategy for this country and building millions of new clean energy jobs and, by the way, keep us down to a climate that's habitable.

SPACE PROGRAM'S END THREATENS AMERICAN EXCEPTIONALISM

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

Mr. HULTGREN. Madam Speaker, Shuttle Atlantis returned to Earth at daybreak this morning, and it marked the end of America's 30-year shuttle history of scientific and engineering excellence in space.

I am a strong believer in American exceptionalism, and at its heart, the story of America's exploration of space is a story of American exceptionalism. No other nation has mastered manned space flight like the United States, launched anything like the Hubble Space Telescope, or led efforts like the international space station.

Forty-two years ago today, Americans first walked on the Moon. No other nation has come close to matching this achievement. But I am deeply concerned about America's future greatness. Today, the path forward for our space program is unclear. Save for empty political rhetoric, President Obama has been unwilling to lead or articulate a vision for future American endeavors in space.

The Defense Department fears that the loss of our civilian space program will erode our aerospace industry base and threaten our technological edge in all fields. As a result, we are left relying on Vladimir Putin for rides into orbit. This is unacceptable and it's un-American.

I hope we will reform Washington's habit of borrowing and spending. And after we have cut, capped, and balanced, it's time to lead again in space. It's time again for American exceptionalism.

□ 1210

CONGRATULATIONS, GUSTAVUS ADOLPHUS COLLEGE

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

Mr. WALZ of Minnesota. Madam Speaker, it is my honor to rise today to congratulate Gustavus Adolphus College in St. Peter, Minnesota, on 150 years of academic excellence.

For a century and a half, Gustavus Adolphus College has thrived as a prestigious and nationally recognized liberal arts college and cultivated the values of faith, service, justice, and community in its students. I have had the opportunity to see firsthand the many Gustavus students and graduates who live by the motto of the college: Make your life count.

Gustavus students are bright, engaged, and my interaction with them leaves me feeling optimistic about the future. I am also lucky enough to be married to one of their alums.

Every year, Gustavus hosts a unique and world-renowned science conference named after Alfred Nobel. The conference is dedicated to the ideals of Alfred Nobel as he professed in the final years of his life: international collaboration and science for the sake of improving our lives and progressing the human condition. This conference embodies what Gustavus is all about: pursuing academic excellence with the purpose of making it count.

Gustavus can be proud of its 150 years, and I am confident that its tradition of excellence will continue to leave a profound mark on Minnesota and the world.

HONORING STAFF SERGEANT WYATT A. GOLDSMITH

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

Mrs. MCMORRIS RODGERS. Madam Speaker, it is with a very heavy heart today that I rise to honor the life of Staff Sergeant Wyatt A. Goldsmith. Twenty-eight-year-old Sergeant Goldsmith lost his life on July 15 while defending America in Operation Enduring Freedom.

As a native of Colville, Washington, Sergeant Goldsmith was a medic with the 3rd Battalion, 1st Special Forces Group. He was treating an Afghan commando when insurgents attacked his unit in the Helmand Province last Friday.

While his life was cut way too short, his legacy lives on forever in the hearts of those who knew him, and even those who did not. His many years in the

service earned him the Bronze Star Medal, a Purple Heart, two Army Commendation Medals, an Afghan Campaign Medal, an Iraqi Campaign Medal, and many other honors for his valor and heroism in the name of American freedom.

So today I rise to remember an American hero who gave his life to make America safer, freer, and more prosperous. May God bless Sergeant Goldsmith's family and all of the brave men and women who have answered America's call to freedom.

REMEMBERING FELIX ANTON SCHWARZ

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

Ms. LORETTA SANCHEZ of California. Madam Speaker, it is with great honor that I rise today to pay tribute to a friend and a remarkable public servant, Felix Anton Schwarz.

Mr. Schwarz was the executive director of the Health Care Council of Orange County, where he had such a passion for working with people until his 80th year. Unfortunately, he passed away on the 4th of July.

Mr. Schwarz will be remembered for his long and productive life in which he brought people together to seek solutions to so many of our health care issues back home. He was an avid advocate for improved access and affordable care for the people of Orange County. Through the Health Care Council, Mr. Schwarz was able to educate the public, educate health care professionals, and in particular policymakers in the need to support the county's safety net of health care services. He was a strong voice for the most vulnerable and neglected populations within our area.

Mr. Schwarz's energy and vision touched thousands of individuals. Today I rise to honor his memory and the legacy that he has left for our community.

DON'T RAISE TAXES IN A RECESSION

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

Mr. STUTZMAN. Madam Speaker, in August 2009, President Obama visited my district in Elkhart, Indiana. A brave constituent of mine expressed his disappointment with taxes and asked the President to explain how raising taxes on anyone during a deep recession is going to help with the economy. President Obama responded: ''I guess what I would say to Scott is his economics are right; you don't raise taxes in a recession.''

Responding to a follow-up question by MSNBC's Chuck Todd, he stated: ''So he is absolutely right. The last thing you want to do is to raise taxes in the middle of a recession because that would just suck up—take more demand out of the economy and put business in a further hole.''

Now the President is demanding that any debt ceiling compromise include higher taxes. That would discourage economic growth and, in his own words, take more money out of the economy.

Washington has a spending problem, not a revenue problem. The GOP plan, the Path to Prosperity, addresses our spending problems, puts our Nation on a strong footing and begins the journey towards balanced budgets and economic recovery. As part of our Cut, Cap, and Balance Act, House Republicans have demanded that a balanced budget amendment to the Constitution be sent to the States for ratification, to require a balanced budget in Washington just like Americans do every day.

END DEBT DEFAULT CRISIS

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

Mr. CARNAHAN. Madam Speaker, it is time to come together and put an end to this debt default crisis. Economists and business leaders warn us that failing to pay our Nation's bills would spell disaster for this economy. Interest rates would skyrocket, the dollar plummet, our modest economic recovery wiped away.

Are my Republican colleagues really going to continue to hold the U.S. hostage to protect special interests, subsidies for big oil, and profitable corporations sending jobs overseas at the expense of seniors? Are my Republican colleagues really going to drive this economy over the cliff?

Last year they promised America a jobs agenda, and now they confess they have none. Nearly a thousand of my constituents have contacted my office in the last two weeks concerned about the consequences of default. One writes: ''If our elected leaders . . . let our country fall into default, it would be inexcusable. There must be compromise.''

It is time to stop focusing on political posturing and give the American people the leadership they deserve for a stronger American future.

AMERICA'S GREATEST ACHIEVEMENT

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

Mr. OLSON. Madam Speaker, yesterday marked the 42nd anniversary of our Nation's greatest achievement—putting an American on the moon.

Today marks a different milestone with the last flight of the space shuttle. The space shuttle program has been the heartbeat of human spaceflight for the past 30 years. Today, we celebrate the shuttle fleet—*Columbia*, *Challenger*, *Discovery*, *Atlantis*, and *Endeavor*—for their awe-inspiring records: 135 missions, over 5 million miles flown in orbit, construction of the international space station, repair of the Hubble telescope. The list goes on and on and on.

We owe immense gratitude to those heroes on *Challenger*, *Columbia*, and their families who made the ultimate sacrifice for space exploration.

Most of all, we recognize the best space industry team in the world for enabling our country to bear the honor of such incredible achievements. I am proud beyond words to represent the Johnson Space Center, the home of U.S. human spaceflight now and forever.

May God bless America and remember this remarkable team.

CONSUMER PROTECTIONS THREATENED

(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, last year we enacted historic new consumer protections as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

This landmark law created the Consumer Financial Protection Bureau, the first Federal regulator dedicated exclusively to protecting consumers from deceptive practices and potentially harmful financial products and services. Protecting consumers from predatory lending and confusing credit cards is something we should all be able to agree on. It is good for consumers, and it is good for businesses that want to know their competitors are playing by the rules. But the majority has made it clear they don't like these new protections and has worked actively to undermine them.

This week, the House will consider H.R. 1315, a bill that increases bureaucratic redtape and seriously weakens the bureau's authority to protect consumers. Sadly, the majority is yet again choosing Wall Street and its high-paid lobbyists over middle class families. I urge my colleagues to put the needs of Main Street over those of Wall Street and vote ''no'' on H.R. 1315.

□ 1220

PASS PENDING FREE TRADE AGREEMENTS

(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, our number one priority here in the United States Congress is jobs and the economy. I'm happy to say that I think that's the number one priority on both sides of the aisle. So the question then becomes: What other things can we be doing each and every day to move forward that agenda?

In my district, the 10th District of Illinois, we've got 650 manufacturers, representing 80,000 jobs. It's the third largest district for manufacturing in our Nation. Forty-six thousand of those jobs rely on exports.

The President has said that he wants to double exports by 2014. We certainly want to help him in that process. For every billion dollars that we increase in exports, we create 6,250 jobs, according to the statistics. The Korean Free Trade Agreement alone would add $10 billion of GDP to our bottom line.

It is important—I would say critical—that we pass the pending free trade agreements with South Korea, Panama, and Colombia so we can expand our markets and create jobs here at home.

THE AMERICAN PEOPLE DON'T WANT IDEOLOGY

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

Mr. YARMUTH. Madam Speaker, nearly every economist in our country and leaders from both sides of the aisle agree: Defaulting on our debt would be disastrous to our economy, to middle class families, and to our most vulnerable citizens. Yet more than 60 of my Republicans colleagues have said they will not, under any circumstances, support a plan to raise the debt ceiling and prevent another economic crisis.

Since day one of this Congress, the Republican agenda has been driven by a reckless Tea Party ideology that ignores reality. Now, with the security of our economy and every American family on the line, they again choose ideology over reality.

But ideology doesn't pay the bills. Middle class families can't buy groceries with ideology. You can't pay for prescription drugs with it. Mortgage bankers don't accept ideology as payment, and neither do credit card companies. Ideology doesn't provide a safety net for our seniors who rely on Social Security and Medicare. And ideology won't pay our troops serving on the front lines.

No matter how many times they deny the consequences of default, the reality is not going to change. This blind adherence to an ideology is not leadership, and it's not what the American people want or desire.

DEFAULT EQUALS DISASTER

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

Mr. CARNEY. Our Nation is lurching towards an August 2 deadline to avoid defaulting on the national debt. If Congress doesn't act, the United States will face an economic calamity that could easily have been prevented.

If we don't raise the debt ceiling, the world will lose confidence in the U.S., and its credit rating will be downgraded from its current bullet-proof AAA grade. Interest rates will rise, which will slow the fragile economic recovery and risk pushing the economy back into recession. Higher interest rates on U.S. Treasuries would also seriously affect ordinary Americans. A default would force consumers to pay more for mortgages, car loans, and other borrowing. Losing our AAA credit rating will increase the government's interest payments on the national debt, making it even more difficult to get our fiscal house in order.

Let's face it. A default would be a financial disaster for the country. We can't afford it. But we shouldn't just raise the debt ceiling. We should use it as an opportunity for both sides to agree on a plan to reduce the deficit by $4 trillion over the next decade. The so-called Gang of Six has come forward with a bipartisan plan to do just that. It's comprehensive, balanced, and it's right for the country. It's not perfect but it's all we have.

It's time to do the right thing for the country.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 605

Ms. BROWN of Florida. Madam Speaker, I ask unanimous consent to remove my name as a cosponsor from H.R. 605.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1315, CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2011

Mr. SESSIONS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 358 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 358

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this section and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated July 14, 2011. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. In the engrossment of H.R. 1315, the Clerk shall—

(a) add the text of H.R. 830, as passed by the House, as new matter at the end of H.R. 1315;

(b) conform the title of H.R. 1315 to reflect the addition of H.R. 830, as passed by the House, to the engrossment;

(c) assign appropriate designations to provisions within the engrossment; and

(d) conform provisions for short titles within the engrossment.

POINT OF ORDER

Ms. FUDGE. Madam Speaker, I raise a point of order against H. Res. 358 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Ohio makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule, and the gentlewoman from Ohio and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Ohio.

Ms. FUDGE. Madam Speaker, I raise this point of order not necessarily out of concern for unfunded mandates, although there are likely some in the underlying bill, H.R. 1315, but because this bill will put consumers and the American economy at risk.

A year ago today, President Obama signed the Dodd-Frank Wall Street Reform and Consumer Protection Act

into law. This law creates a strong Consumer Financial Protection Bureau, the CFPB, that will protect consumers, especially the poor and the most vulnerable, from unscrupulous practices in the financial industry.

The Dodd-Frank law levels the playing field. The CFPB has taken steps to protect Americans against abuses by the financial industry, like payday lenders and debt collectors, that we were unable to monitor before the passage of the law.

I oppose the underlying bill because it removes these protections. This bill, H.R. 1315, is designed to cripple the CFPB before it is up and running.

Voters across party lines solidly support the Wall Street reform law. The American people want safeguards to help the economy and protect them from deceptive financial practices and predatory products. By trying to weaken the CFPB, Republicans in Congress just confirm how out of touch they are with the concerns of the American people.

□ 1230

Madam Speaker, I yield 3 minutes to the gentlelady from New York, YVETTE CLARKE.

Ms. CLARKE of New York. I thank my good friend from Ohio for the time.

Madam Speaker, the Republican majority would like the American people to believe that a near financial collapse never happened, never occurred. To hear the majority's narrative over the course of the 112th Congress, you would think that nothing is wrong with the economy that deregulation and tax cuts for multi-millionaires and billionaires can't solve.

What the Republican majority refuses to acknowledge in their revisionist narrative is that their tax cuts for multi-millionaires and billionaires helped lead our country from surplus into massive deficits.

The majority's revisionist narrative also omits the fact that years of deregulation and lax oversight of financial institutions is what caused the economic downturn we are struggling to fully recover from.

Madam Speaker, the near collapse of the national economy not only cost the American people billions of dollars in bailouts but also resulted in millions of Americans losing their jobs, their homes and life savings through no fault of their own.

The number one priority of the 112th Congress should be to continue the economic recovery work of the 111th Congress. The American people expect the other side to work with the President and congressional Democrats to put Americans back to work.

So I find it unbelievable, Madam Speaker, that, in the face of 9.2 percent unemployment and when millions of Americans are struggling simply to stay in their homes, the majority would declare war on the very agency that would prevent a similar financial crisis from ever happening again.

By decreasing accountability, muddling decision-making and starving it for funds, the Republican majority is threatening to turn the Consumer Financial Protection Bureau into a gridlocked agency that cannot possibly fulfill their mandate as a financial industry watchdog, leaving the American people once again vulnerable to the predatory lending that precipitated the financial collapse in the first place.

Madam Speaker, the 112th Congress has been in session for over 6 months, and we still have not had one comprehensive jobs bill, nor have we voted on one single bill that would help struggling homeowners stay in their homes. We have, unfortunately, been forced to vote to protect tax cuts for multi-millionaires and billionaires, we have voted to protect the profits of companies who ship jobs overseas, and we have voted on bills that undercut the social safety net for Americans at a time when the most vulnerable amongst us need it the most. In other words, Madam Speaker, we have wasted the American people's time.

If the Republican majority claims to speak for the American people, then perhaps they should listen to the American people, stop playing games and bring legislation to the floor that addresses the number one priority of the American people: jobs.

By bringing this bill to the floor, the Republican majority either doesn't remember the recent financial crisis or simply doesn't care about the hardships facing the American people.

I support the gentlewoman from Ohio in bringing this point of order.

Ms. FUDGE. Madam Speaker, I yield 3 minutes to my friend and colleague, the gentlelady from California, JACKIE SPEIER.

Ms. SPEIER. I thank my good friend from Ohio.

This is getting old. The majority knows it can't kill an idea whose time has come. So now they're trying to slow down the process, just like their friends in the banking industry who use tricks and traps to separate American families from their hard-earned money. This bill is nothing more than an attempt to turn the CFPB into the Center For Profits and Big Business.

The Consumer Financial Protection Bureau will provide families a level playing field upon which to shop for the full range of financial products. Nothing is getting banned. Consumers can still choose to make bad decisions if they wish, but now they'll have the tools to be better informed through the process. Instead of mountains of mortgage documents, they'll get a simple-to-read one-page document that they can then use to answer crucial questions like, Is this something that I can afford? Is this the best deal that I can get?

The Consumer Financial Protection Bureau is the most accountable regulatory body in the world. In fact, it has a whole slew of regulators watching and questioning everything it does. It is required to undergo an annual GAO report; have all enforcement actions subject to appeal; and be regulated, in turn, by every other agency on the Financial Stability Oversight Council. Simply put, the CFPB helps families hold on to the money they might otherwise give to the banks. And the banks hate that.

That is precisely why the majority has thrown this ridiculous bill together. Among other things, this legislation would require those regulating predatory lenders to stop if their actions threatened the company's ''safety and soundness.'' In other words, their profits.

We heard all about this issue when we banned unreasonable penalties on credit cards. At the time, the credit card companies said this would absolutely crush their model. Well, look what's happened. Are they still alive and well? You bet they are. But the truth is this legislation isn't really about any of that. No, this is about the only area where the majority has any kind of legislative record: legislative delay.

The anti-consumer bloc in this Congress is engaged in a legislative Ponzi scheme. They're helping Wall Street suck a few more dollars out of American families before the inevitable happens and the CFPB stands up. Every day politicians can stall the opening of the bureau, well, that's more profits.

Today, the CFPB is alive, and I want every American to look at this opportunity to call this number. This is a hotline available today for you to access if you've got problems with your credit cards; but you had better act now because the majority wants to shut it down.

Ms. FUDGE. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 2½ minutes.

Ms. FUDGE. I yield 1½ minutes to the gentlelady from New York, CAROLYN MALONEY.

Mrs. MALONEY. I thank my colleagues for raising this issue.

The Consumer Financial Protection Bureau is needed. House Republicans have today officially launched their legislative effort to make sure these protections will never have the chance to do the job of protecting our consumers and safeguarding the larger economy. It is as if our friends across the aisle are blind to the painful lessons of the Great Recession. It's the group that says let's pretend the recession never happened. The Republican strategy to defang, defuse, and delay the consumer protection agency ignores critical issues that contributed both to the credit bubble and the financial meltdown.

Deceptive and misleading practices, predatory lending, unsafe credit standards—these practices cost Americans dearly. According to the Federal Reserve, between 2007 and the final quarter of 2009, United States household wealth fell by $16.4 trillion of the net

worth, and that is terrible. That is a sum that would be more than enough to pay for the United States national debt. If the CFPB had been in place in 2001, we might have avoided this painful, disruptive economic downturn that has hurt our overall economy, our standing in the world, and our consumers. We must let the CFPB go into effect to protect our economy and protect our consumers.

I congratulate the gentlelady on her leadership.

Ms. FUDGE. Madam Speaker, in closing, this underlying bill, H.R. 1315, is trying to gut the reforms we fought for and won in the new Wall Street reform law. The CFPB is set to begin work today as the cop on the financial beat protecting American consumers and the economy from Wall Street greed.

Republicans want to delay, defund, and dismantle the Dodd-Frank law. Make no mistake, Madam Speaker: Republicans want to remove protections for consumers and investors. Republicans want to return to a time where consumers, investors, and the entire financial system are at risk.

I urge Members to vote ''no'' on this question of consideration.

I yield back the balance of my time.

Mr. SESSIONS. I claim time in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentleman from Texas is recognized for up to 10 minutes.

Mr. SESSIONS. Thank you, Madam Speaker.

The question before the House is, shall the House now consider H. Res. 358? That is really the question here.

□ 1240

While the resolution waives all points of order against consideration of the bill, the committee is not aware of any points of order. The waiver is simply made up in nature.

In fact, the Congressional Budget Office has issued cost estimates for each of the three bills included in the Rules Committee Print of H.R. 1315. The following statements were issued by the nonpartisan Congressional Budget Office:

''H.R. 1315 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local or tribal governments.''

''H.R. 1121 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local or tribal governments.''

''H.R. 1667 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of State, local or tribal governments.''

Madam Speaker, these are the three sections—the bills—which are contained within the rule. As we have stated, as a result of what has been defined, there are no mandates. There is nothing in this bill which would cause the point of order to stand.

However, my friends on the other side of the aisle have also raised concerns about the amount of debate time provided for in this rule. Madam Speaker, the Rules Committee takes great pride in its degree of openness; and under the leadership of Chairman DAVID DREIER and of our Speaker, JOHN BOEHNER, we have tried to accommodate this request. This rule continues that record of accomplishment by making in order 11 out of the 14 amendments submitted to the Rules Committee. Of the three amendments not made in order, one was withdrawn by the sponsor; one was not germane to the bill, and one was duplicative of another amendment submitted.

I would also like to note for the record that the bill being considered today and every bill included in the Rules Committee Print went through regular order. The Financial Services Committee held hearings, a subcommittee markup, and a full committee markup of the bill.

Madam Speaker, I see that my friends are trying to make a point of order that simply does not exist. In order to allow the House to continue its scheduled business for the day, I urge Members to vote ''yes'' on the question of consideration of the resolution.

I yield back the balance of my time.

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

The question is, Will the House now consider the resolution?

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

Ms. FUDGE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 227, nays 173, not voting 32, as follows:

[Roll No. 612]

YEAS—227

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cravaack
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
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)
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
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
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

NAYS—173

Ackerman
Altmire
Andrews
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Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Edwards
Engel
Eshoo
Farr
Filner
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Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
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Hahn
Hastings (FL)
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Holden
Holt
Honda
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Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson, E. B.
Kaptur
Keating
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Kissell
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Langevin
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Larson (CT)
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Lipinski
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Quigley
Rahall
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Reyes
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Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Loretta
Sarbanes
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Schiff
Schrader
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Scott, David
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Slaughter
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Speier
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Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
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NOT VOTING—32

Bachmann
Berg
Bishop (GA)
Bishop (NY)
Blumenauer
Butterfield
Castor (FL)
Coble
Conyers
Costa
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Ellison
Fattah
Giffords
Graves (MO)
Hanabusa
Hinchey
Hirono
Johnson (GA)
Landry
Mulvaney
Palazzo
Paulsen
Rogers (AL)
Rothman (NJ)
Sánchez, Linda T.
Schock
Scott, Austin
Walsh (IL)
Young (AK)
Young (FL)

□ 1307

Mr. MILLER of North Carolina changed his vote from ''yea'' to ''nay.''

Mr. LABRADOR changed his vote from ''nay'' to ''yea.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BERG. Mr. Speaker, on July 21, 2011, I was unavoidably detained for rollcall vote No. 612. Had I been present I would have voted in favor of the question of consideration of H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011.

Mr. COBLE. Madam Speaker, on rollcall No. 612, had I been present, I would have voted "yea."

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

Mr. SESSIONS. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the ranking member of the Rules Committee, my friend, the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. SESSIONS. House Resolution 358 provides for a structured rule, designated by the Rules Committee, for consideration of H.R. 1315. This rule allows for 11 of 14 amendments submitted to the Rules Committee to be made in order.

□ 1310

Madam Speaker, this rule provides for debate and amendment opportunities for members of the minority and the majority to change the legislative text of the underlying bill.

Madam Speaker, I rise today in support of this rule and the underlying legislation. This legislation, the Consumer Financial Protection Safety and Soundness Improvement Act, was introduced by my dear friend from Wisconsin, the Congressman SEAN DUFFY, on April 1, 2011. The bill went through regular order, with hearings, subcommittee markup, and a full committee markup.

I applaud my friend, the distinguished chairman of the Financial Services Committee, the gentleman from Alabama, SPENCER BACHUS, for providing such an open process and an opportunity for all members of the Financial Services Committee to participate in reforming and changing this bill.

Additionally, the chairman of the Rules Committee, the gentleman DAVID DREIER, has once again provided Members of this body with a Rules Committee vote to ensure that we have transparency and an accountable structure under the rule which we're discussing today allowing Members from both sides of the aisle this opportunity to offer amendments and to join in the debate of the underlying legislation.

Today marks the first anniversary that President Obama signed into law the 1,300-page unprecedented Federal overhaul of the financial services industry, the Frank-Dodd Wall Street Reform Act.

I have the opportunity to discuss this bill today, and also I did last Congress. And we spoke at that time about its overarching reforms that were being made in that legislation. Additionally, I will discuss why and how it is bad for our current economy and what with the Republican underlying bill will do to protect consumers, ensure credit, and allow for economic growth.

Last year, I stood before this body to state that our friends on the other side of the aisle, that they were once again allowing the government to overstep its boundaries well into the private marketplace. One of the most far-reaching provisions of the Dodd-Frank bill that was signed into law last year is the creation of the Consumer Financial Protection Bureau, best known as CFPB. The CFPB is a classic example of the government unnecessarily crippling its authority into the free enterprise system. This massive new Bureau will be led by a credit czar, who will have unprecedented and unchecked authority to restrict product choices for consumers and impose fees on consumer products and financial transactions. Just about any business or financial institution who offers any form of credit falls underneath the jurisdiction of the CFPB.

The new bureaucracy would raise costs for consumers. I will say this again—will raise costs for consumers. It will reduce the number and types of products available to them. It will increase the micromanagement of financial services firms and will greatly increase the confusion caused by differing and conflicting consumer laws across the United States.

The underlying bill we are voting on today is designed to promote greater accountability and transparency at the CFPB, and to ensure that the CFPB fulfills its consumer protection mandate without undermining the safety and soundness of the financial system. This bill achieves this mission by making the leadership structure of the CFPB a collegial body, streamlining the Financial Stability Oversight Council, or what is known as FSOC, their review and oversight of CFPB rules and regulations, and delaying the transfer of functions from other Federal regulatory bodies to the CFPB until the date on which the Chair of the Commission of the CFPB is confirmed by the Senate.

This comes, and it is of a great deal of importance since it was just this week that President Obama nominated Richard Cordray as the Director of the CFPB, which officially begins its oversight of banks with more than $10 billion in assets today.

So no Director, no mission statement, no accountability, no hearing in the Senate to confirm the person who would have this extensive authority and responsibility.

The Consumer Financial Protection Safety and Soundness Improvement Act makes three important changes to the current CFPB:

First, it would change the vote required to set aside a CFPB regulation from two-thirds of the FSOC membership to a simple majority vote, excluding the Chair of the CFPB. A letter from the American Bankers Association, from May 3, 2011, states, and I quote, ''The very purpose of the FSOC was to avoid problems that could lead to risks that threaten the economy. To ignore the majority viewpoint of the regulators with this responsibility is completely counter to its mission statement and that of the council.'' This first provision ensures that the council carries out the intended mission and goal;

Second, the bill would clarify that the FSOC must set aside any CFPB provision that is inconsistent with the safe and sound operation of U.S. financial institutions;

Lastly, the bill amends Dodd-Frank which provided for the CFPB to be headed by a Director to be replaced with a bipartisan commission with the responsibility of exercising the Bureau's authorities. This was in the original House version of the bill and was changed by the Senate during conference.

In a letter sent by the U.S. Chamber of Commerce, dated May 23, 2011, the U.S. Chamber expressed support, saying, ''The Chamber strongly supports this reform because it would conform the bureau to other independent agencies, ensure impartial decisionmaking, minimize the risk of regulatory capture, and ensure continued stability over the long term.''

Reforms to the CFPB as it stands are necessary to avoid business closures,

limitations to start-up companies, slower economic growth, and ensure that we do not hinder the free enterprise system. These are all in the best interest of consumers and our country.

The underlying legislation ensures that the original intent of this legislation is carried out in a fair and unbiased manner to ensure the future safety and soundness of our Nation's financial institutions.

I encourage a ''yes'' vote on the rule and a ''yes'' vote on the underlying legislation.

I reserve the balance of my time.

Ms. SLAUGHTER. I thank my friend for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, the Consumer Financial Protection Bureau is a reflection of the Nation's values. It embodies the ideals of fairness, accountability, and equality, values that help us define who we are as a people. Just as importantly, the CFPB brings accountability and transparency to the financial sector and reduces the risk that consumers will be sold financial products they don't understand and can't afford to buy.

The CFPB is already hard at work. This agency has started by proposing a simplified disclosure of mortgages so the consumers can read them—isn't that refreshing?—in plain language, the terms of an agreement, before signing on the dotted line.

Despite this valuable start, today's bill is designed to effectively neuter the agency before it can fully begin to serve the middle class. In so doing, this bill is a giveaway to special interests in the financial sector that fear they will finally be held accountable by the law.

□ 1320

Apparently unchastened by the economic crisis they plunged us into, financial firms continue to take advantage of unknowing consumers. Just this past year, a robo-signing scandal led to banks foreclosing on many families who had done absolutely nothing wrong. These firms will not stop trying to take advantage of people unless someone forces them to stop. Despite all this, the majority proposes that we weaken the very agency designed to protect consumers against illegal practices and unfair play.

The CFPB was launched thanks to the great work of Professor Elizabeth Warren and the team of professionals that she has assembled to launch the agency. Their work has been tireless and invaluable. Professor Warren acutely understands the struggles of American families and her words summarize nicely the choice Members of Congress are being asked to make today.

While speaking about the nomination of Richard Cordray to head the CFPB, Professor Warren said, ''I remain hopeful that those who want to cripple this consumer bureau will think again and remember the financial crisis—and the recession and job losses that it sparked—began one lousy mortgage at a time. I also hope that when those Senators and Congressmen next go home they ask their constituents how they feel about fine print, about signing contracts with terms that are incomprehensible, and about learning the true cost of a financial transaction only later when fees are piled on or interest rates are reset.

''I hope they will ask the people in their district if they are opposed to an agency that is working to make prices clear, or if they think budgets should be cut for an agency that is trying to make sure that trillion-dollar banks follow the law.'' Members of this House would do well to remember her words.

Will we vote today to protect the middle class and the millions of consumers struggling to make ends meet, or will this body stand with financial lobbyists and leave the middle class to go it alone? In strongest possible terms, I urge my colleagues to take a vote that reflects our values and vote against this rule we're considering today and against the underlying bill.

Please let's stand up for the American families and help the helpless people who are simply struggling to get by despite what we have done for them.

I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, in an encouragement to my dear colleague Ms. SLAUGHTER, I would like to inform her that I have fewer speakers as a result of committee hearings and would encourage her to run through perhaps two of her speakers at this time and then I will be available with mine.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. FRANK), the ranking member of the Financial Services Committee.

Mr. FRANK of Massachusetts. First, I want to express my objection to the rule. The chairman of the Rules Committee said maybe I can get a unanimous consent agreement to modify it.

All amendments are not created equal. This rule gives a total of 10 minutes for each amendment, five and five. That is simply inadequate—grossly inadequate—for discussing some of these important issues. There are two amendments in particular where I will be approaching my colleagues in the majority to see if we can get an extension of time. If that is not the case, I will be very, very disappointed that major issues here on this important subject of consumer protection would be given only 5 minutes on each side. Now let's get to the substance.

My Republican colleagues have had a little bit of a change of heart since last year. When we debated this bill in committee—actually, we debated it in 2009 in committee, this particular section—they wanted to kill the whole bureau. They were opposed to the notion of an independent consumer bureau.

Understand where we are. Consumer protection has always, until last year, been consigned to the financial regulators. Indeed, the largest single share of consumer protection was given, of all entities, to the Federal Reserve—and it's been, at best, a second thought for them and for some a non-thought. And the Republican position during the debate on this was: Do not set up a separate agency. Now they say, well, we're not opposing a separate agency, we just want to dismantle it, in effect. So we will get into the specifics, but let's be clear: This is as close as they dare come now because of public opinion to abolishing the whole agency. They want to weaken it, and then they will want to undercut it altogether.

Of course, this is the third major assault they've made on the financial reform bill. Yesterday in committee, incredibly the Financial Services Committee voted to reduce the liability that rating agencies will face if they put an inaccurate statement into a prospectus. And if you buy that security based on inaccuracies in the rating agencies, they want to lessen what we try to give people in the bill as a right to sue. And of course consistently the Republicans have voted specifically to deny to the Commodity Futures Trading Commission the funds that they would need to deal with speculation in energy. And Mr. KINGSTON, on behalf of the majority, said speculation's got nothing to do with the oil prices. No one believes that except apparently him and maybe those Republicans who voted with him. Today there is an assault on the most important thing that's ever been done to protect consumers in the financial area.

Now the Republicans have been saying, we're not trying to kill it, we just want to make it work a little better. But last year—and I will put in the RECORD statements from about a dozen of the Republicans—Mr. GARRETT, Mr. HENSARLING, Mr. PRICE, Mrs. BIGGERT, Mr. MANZULLO, Mr. BACHUS, many others—making very clear they didn't want the whole agency. So this notion that they're just trying to improve it is belied by the fact that they tried to kill it.

But even then, Mr. BACHUS sometimes has trouble sticking to his own line. Here's what he said this morning on CNBC: ''We're not trying to kill it. That has been totally misrepresented. Republicans stand strongly behind consumer protection. We, however, think that safety and soundness has to be considered. So we don't worry about a Federal Reserve or an FDIC, but we do worry about a consumer protection agency whose sole goal is to benefit consumers without considering how that benefit affects the stability of our financial institutions.'' Well, it doesn't go the other way. They don't worry about what the financial institutions do to the consumers. But let me read again what he says, We do worry about a consumer protection agency whose sole goal is to benefit consumers without worrying about the poor banks.

What the bill will do will be to put the bank regulators back in charge of consumer protection—and these are the bank regulators of whom Mr. BACHUS, the chairman of the committee, earlier said the regulator's job is to serve the banks. So in roundabout ways they are trying to accomplish here what they admitted they want to accomplish before.

The consumer agency does not have an aggressive role. It doesn't go out there and do things in a positive way; it is a protection agency. Now we passed a credit card regulation bill—and many on the Republican side were very opposed to that a couple of years ago; it has worked very well. One of the main authors, the gentlewoman from New York (Mrs. MALONEY), is here. That has helped people, it hasn't hurt them.

One of the things the consumer agency gets under our bill is the power to cover currently nonregulated entities—payday lenders, mortgage lenders—who aren't covered. Frankly, that's in the interest of the consumer. The Credit Union Federation likes much of the Republican bill, but they don't like the part that would slow down the takeover of regulation over their competitors.

Bad mortgages were not just a problem for individuals, they were a problem for the whole economy. We want to strengthen the ability to go after bad mortgages. They don't want that to happen. So let's be very clear: This is a party, the Republican Party, that tried to kill this——

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

Ms. SLAUGHTER. I yield the gentleman 1 additional minute.

Mr. FRANK of Massachusetts. Madam Speaker, what we have is, as the statements that I am submitting show, the Republicans wanted last year to maintain the status quo in which the regulators of the banks—whose job it is, according to the Republican chairman of the committee, to serve the banks—would maintain this. And they worry about an institution whose sole goal is to protect consumers. He says, We don't worry about the Federal Reserve, we don't worry about the FDIC, we worry about an institution whose sole goal is to protect the consumers.

They do understand that politically it's not a good idea to be fully straightforward about their intention—when they would really like to repeal it—but what they are trying to do instead today is substantially weaken it. And the most important thing they will do will be to put back in charge of the independent consumer regulator the very bank regulators who historically have not protected the consumer—because some of them agreed with the chairman of the committee, the Republican chairman, that their job was to serve the banks—and it would substantially weaken consumer protection. I do not think that is the right way to go.

EXCERPTS FROM THE FINANCIAL SERVICES COMMITTEE OCTOBER 2009 MARKUP OF H.R. 3126, THE CONSUMER FINANCIAL PROTECTION AGENCY ACT

REP. PRICE

''I think more appropriately, this bill would be called 'The Restricting the American Dream and Jobs Destruction Act.' And I say that with all sincerity, pointing out that there are multiple, multiple entities that cover literally millions of jobs out there, that have gone on record and said: This is absolutely the wrong direction in which to head at this time, especially this time, a time of remarkable economic challenge.''

REP. ROYCE

''I'm afraid this legislation and the establishment of a product approval agency will create more problems than it's going to resolve, especially with respect to this safety and soundness.''

REP. MANZULLO

''This is not the time to have additional rules and regulations on products which are already regulated. And then, to take 400 million dollars away from the Federal Reserve, which could have outlawed 327s and 228s and the so-called teaser mortgages, it doesn't make sense. This is like cutting the police force by 20 or 30 percent. That's why I have a big problem with why we're even considering this bill when no agency wants it.''

REP. BIGGERT

''What's the answer to the financial meltdown? How do we prevent it from happening again? What's not the answer is to create another federal agency. Allegedly, to protect consumers. We already have the OCC, the OTS, the NCUA, the FDIC and the Fed. The underlying bill would pile 50 state regulators on top of that. Why not address the real problem with these agencies instead of creating another one? Are we creating another agency or a problem? Are we creating a guarantee for consumers that they will certainly never be, or less likely to be, caught up in a bad financial situation? Or a product that they really shouldn't have signed the dotted line for?

''No, there is no guarantee.''

REP. BACHUS

''Mr. Chairman, I want to reiterate that I believe this underlying legislation creates a new large and expensive government bureaucracy with broad and ambiguous powers that will ration credit and limit consumer choice. The legislation gives this new agency and its czar-like chairman or director the power to impose both fees and taxes on all financial products, which are broadly defined. It is not about consumer protection. It is about creating a financial product approval agency with the powers to review and approve financial products. Real consumer protection must include consumer choice, competitive markets, vigorous enforcement of anti-fraud law, effective disclosure, and product innovation. Regrettably, that is not what the Democratic proposal does. Placing broad rule-making authorities in the hands of an untested agency will limit innovation and restrict credit . . . Congress should not create another layer of federal bureaucracy whose mission includes rationing credit and limiting choice.''

REP. BACHUS

''What we are creating here is a new Financial Products Approval Agency that has the power to review and approve all financial products. That means they have a right basically to fix prices because they may not approve them unless a certain price is agreed to. They could actually set a price.

They can ration credit, whatever else the credit card legislation did last year and any benefit it had, it has already resulted in people's credit limits being lowered, it has resulted in interest rates going up on account, it has resulted in annual fees being imposed. Consumers today have a broader array of choices, and choice is good. Innovation is good. In fact, I think the greatest form of consumer protection is giving individuals a choice, if they have a credit card and they want to choose a different credit card or drop that credit card.

This bill is going to limit competition. It is not about enforcing anti-fraud laws. It is not about effective disclosure. It is not about protecting people from unethical behavior.

It is placing broad rulemaking authority in the hands of an untested agency, one that is going to be created from scratch, one that has no appreciation for safety and soundness, that has no history of financial regulation.

Now is not the time to restrict choice and credit. It is not the time to start rationing these things. We have seen in health care proposals to ration health care. We have seen instances where the Government wants to come in and begin to regulate the energy and how we create energy and said no to nuclear energy.

Now we see it in financial services. We are witnessing a broad expansion of Government interference and involvement. None of those things, it was not choice that created the financial crisis that we faced last year.''

REP. BIGGERT

''You know, there is no question that our financial service regulatory structure is broken, and for both consumers and the health of our financial services industry and the economy, we need to clean it up. However, I fear that we are moving in the wrong direction when we strip from the banking regulators their mission to protect consumers; instead, we place the responsibility with a new government bureaucracy.''

REP. MCHENRY

''What we have here is an agency that will restrict credit, will restrict new products from being offered, innovation in the private sector and in the financial marketplace, and in the end, it will hurt consumers, not help them. This is a credit constriction agency, not a consumer protection agency.''

REP. BACHMANN

''I would also like to add to the conversation that I too support the Biggert amendment, because the CFPA, in my estimation, it would ultimately increase the costs on American consumers and reduce the customized type of products that are available to them, increase costs, reduce the type of products.''

REP. HENSARLING

''Ultimately, we do not view this as a bill that promotes consumer protection. Ultimately, what we have is a brand new large draconian Federal agency with new sweeping powers that is going to have the ability to declare financial products and services unlawful based on subjective opinions about ''unfairness'' and subjective opinions about what is 'abusive.''

REP. NEUGEBAUER

''When you look at this bill, we're going to give unprecedented authority to one individual, who's not elected, to really, basically determine whatever kind of consumer protection rule or regulation that they want to put on the books. And they get to do that. You know, the American people send their Members of Congress up here to make those decisions. To look after their interests. And now, we're going to relegate that decision, that empower this one individual to do that. Somehow, I don't think that's in the best interest of the American people.''

□ 1330

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, I rise in strong opposition to the majority's attempt to undercut the Consumer Financial Protection Bureau just as it is set to open its doors. Yet again, this majority is siding with Wall Street, credit card companies and predatory lenders and against the interests of the American people.

Three years ago, we suffered an economic meltdown that was brought on by greed, corruption, and well-documented incidents of predatory behavior. We are still dealing with the economic ramifications of that collapse today. People all across America are losing their jobs and fighting for their homes.

That is why, as part of the financial reforms Democrats passed last year, we created the Consumer Financial Protection Bureau to reintroduce transparency and accountability in the financial sector, to put an end to predatory lending practices that were abused by the banks and mortgage lenders to precipitate this crisis, and to protect the public from future malfeasance.

But now this Republican majority wants to undo all of that hard work and put Wall Street back in the driver's seat. The bill eliminates the bureau's independence and gives the regulators, who missed the financial crisis, it gives them veto power over its actions, all to ensure that nothing of consequence gets done to rein in Wall Street.

In order to promote gridlock and guarantee the bureau is unable to curb the abuses that led to the financial crisis, the bill before us also removes the position of director and installs a five-member commission at the head of the agency, while delaying consumer protection authorities until a commission chair is named. This comes as Republicans have constantly attacked the bureau's architect, Elizabeth Warren, and made clear that they will not approve any nominee for director, including President Obama's nomination of Richard Cordray last week.

We are not here to represent the interests of Wall Street, of their banks, predatory mortgage lenders, or credit card companies, as my Republican colleagues are choosing to do, by smothering this new agency in its crib. We are here to represent the American people. That is what the Consumer Financial Protection Bureau has been designed to do.

I urge my colleagues, put Main Street before Wall Street. Stand up for ordinary, hardworking, middle class families, oppose this rule and the underlying legislation.

Mr. SESSIONS. Madam Speaker, I yield 4 minutes to the gentleman from San Antonio, Texas, a freshman member of this body, Congressman FRANCISCO ''QUICO'' CANSECO.

Mr. CANSECO. Madam Speaker, I would like to thank Mr. DUFFY, Chairman BACHUS, and Chairman CAPITO for their leadership on this important matter.

Madam Speaker, I rise in strong support of the rule and the underlying bill with important measures of accountability to an agency that currently operates independent of any real oversight. The mission of the Consumer Financial Protection Bureau is indeed puzzling. How exactly a government bureau is going to determine what financial products are suitable for every American family has never been explained. I have great concern that consumer protection is merely a euphemism for consumer restriction and consumer control. But equally concerning is that this agency currently operates outside the normal checks and balances that exist as a bedrock of our system of government.

The director of the agency has enormous influence over family decisions regarding credit cards and mortgages, and there currently exists an extremely high and nonsensical standard for overturning a CFPB rule. The director can set the CFPB's budget every year without ever having to appear before Congress. Despite all of this, the person appointed by the President to advise Treasury on the setup of this agency came before the House Financial Services Committee and called it ''the most constrained and the most accountable agency in government.'' Only in Washington could someone make that claim with a straight face.

I fully support H.R. 1315, which would replace the single director with a more democratic commission and would also require a simple majority vote of the Financial Stability Oversight Council to overturn a CFPB rule.

Madam Speaker, the financial crisis did not occur because of a lack of rules, and it certainly did not exist because of a lack of Federal bureaucracies. Regulatory overkill does not equal effective regulation. It means fewer jobs and higher unemployment.

The last thing we need is an unrestrained agency adding more uncertainty to our economy and destroying our ability to grow the economy and create jobs. This legislation will help remove the threat to economic and job growth that the CFPB currently poses.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the great leader from New York State for her leadership on this committee and in this great Congress, and for fighting every day for the American people and New York State.

Madam Speaker, 1 year ago today, President Obama signed into law the Dodd-Frank Wall Street Reform and Consumer Protection Act. This landmark law helped restore faith in our institutions and markets, helped our economy, and helped consumers. Yet on this historic day, my friends on the other side of the aisle are doing everything they can to defund, defang, and derail the important consumer protection office.

Now, what is this office supposed to do? It is going to make prices clear to consumers, risk clear to consumers, and make markets work for the American middle class families. We need this independent office.

For too long, no one was looking out for consumers and we paid dearly for it in the financial crisis. But now with the CFPB, everyone who takes out a student loan, everyone who takes out a mortgage, everyone who takes out any financial product will have a financial consumer protection agency on their side.

And we need this protection. Just yesterday, it was reported that one of our largest institutions received the largest fine ever, $84 million for illegally pushing borrowers into subprime mortgages—10,000 Americans in this suit alone—for falsifying loan documents. If a CFPB had been in place, that could have helped the 10,000 people.

Let me tell you I'm calling this Republican bill: Let's just forget that the financial crisis ever happened. Let's just forget the pain that it caused to people and the painful lessons of the great recession.

These practices cost our country dearly. According to the figures from the Federal Reserve, between the spring of 2007 and the first quarter of 2009, U.S. household wealth fell by about $16.4 trillion. That is pain to the overall economy and to American families. That is a sum that would be more than enough to pay off the entire U.S. national debt. And if the CFPB had been in place in 2001, we might have avoided the most painful and disruptive economic downturn in our lifetime.

We must fight to keep this in place to protect consumers. I believe when it comes to great recessions, once is more than enough. Let's stop these practices that hurt consumers. Protect our overall economy and protect our people. The American people agree: 73 percent favor it; 93 percent favor it. The American people favor the CFPB. We should let it open its doors to protect consumers.

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

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlelady.

If there is a problem with the Dodd-Frank bill, it is that it was passed 2 years after, rather than 2 years before, the Wall Street meltdown. That was a catastrophe. It was so bad that one of the most conservative Presidents in the history of this country came to Congress with the Goldman Sachs Secretary of the Treasury asking Congress to authorize $750 billion to bail out Wall Street's collapse.

□ 1340

That was an avoidable situation. The reason it collapsed is because of the fact that the only problem worse than no regulation or little regulation is no regulation at all. And that's what Wall Street had enjoyed. The heart of the crisis were these subprime mortgages that were loans to people who had no documentation, no ability to pay them back. They were sold and peddled not because there was even an expectation that they would be paid back, but they were sold to the mortgagees so that they could then be sold off to investors. This was the architecture of catastrophe. And the American economy is still reeling from it.

The tradition of regulation in this country goes back to Teddy Roosevelt, the Republican ''trust buster,'' who understood that the public had to be protected, who understood that with proper regulation you set fair rules for business to operate that level the playing field for those good banks to do what's right, to do it in the light of day, to provide protection to consumers who are busy with their own lives and don't have time to go over all of the forms.

This consumer protection agency is absolutely essential to providing fairness to consumers and security in their transactions, to protect them from unscrupulous activity that does and can occur, and it's important to our banks and our financial industry that want to play by the rules and do it the right way. This is very important legislation. We must defeat the, in effect, repeal and retraction of Dodd-Frank.

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

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Only a year ago, Republicans were using every trick in the book to stop any Consumer Financial Protection Bureau. And you know, they never really stopped. The party of Wall Street bailouts, of Big Bank buddies, remains determined to deny our families basic, effective protection from credit abuses.

The lyrics of Grammy Award Winner Steve Earle, who grew up in Schertz, on the edge of San Antonio, ring true for so many families. ''You go to school and learn to read and write, so you can walk into the bank and sign away your life.'' Well, so many families were deceived in taking out mortgages or a credit card or a payday loan on terms in the fine print that only the big lenders understand. Many of these families were counting on a home, on a job, on a retirement plan, or maybe with their credit card, just to put clothes on the kids and food on the family's table.

Nobody was there to protect them from the tricks and traps that some creditors used to enrich themselves and to fleece consumers with loans with incredible interest rates. In too many of these transactions what were once known as ''loan sharks'' can today legally ply their trade.

If you're mugged on the street, you can lose your wallet. But if you're mugged on Wall Street, you can lose a lifetime of savings. That's why we need this new squad of financial cops whose sole job will be to protect those who borrow from abuse.

With foreclosures at near record highs in San Antonio and in Austin, now is not the time for a retreat by consumer law enforcement. Oppose this latest Republican attempt to roll back the power of the Consumer Financial Protection Bureau and oppose the effort to take cops off the beat when we need them the most.

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

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 5 minutes to the ranking member of the Financial Services Committee, the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Madam Speaker, if I had to stand up here and defend weakening consumer protection in the area of financial activity, I wouldn't be too eager to do it either. So I understand the absence of discussion here.

Let me make one general point. When we legislate, you have to take history into account and what the balance is. The argument essentially of the Republican Party here is—and I wish it weren't partisan, but it is. They have made it partisan, not us. The position of the Republican Party is that there is a serious danger that we will overprotect the consumer. That the Federal regulators will do too much for the consumer. That's an extraordinary fear indeed to have. That's not a fear. It's a phobia. It is based on unreality.

The fact is, as we've seen this now, we were able to get that legislation enacted with the brilliant work of Elizabeth Warren, whose nomination did not come as it should have, although I very much admire the man who was nominated, Mr. Cordray, but what we had was an unusual moment because the irresponsible practices of many, not all, in the financial community—and by the way, let me repeat: Much of the problem came from the unregulated, not from the financial institutions. And one of the things we do in this bill, which is supported by the Credit Union National Association, is to cover the unregulated so that community banks and credit unions which did not cause this problem are protected from the pressures of unfair competition by the unregulated. But what we had was an unusual moment in which there was a great deal of public awareness of the need to deal with this. So we were able to get an independent consumer agency through, over the unanimous opposition of the Republican Party.

But as things go forward, the average citizen has got other things to worry about. So what we'll see is the bank lobbyists and the nonbank lobbyists and all the people who represent these mortgage lenders already trying to erode things. Apparently, my colleagues would like people to believe that they seriously think that the danger is we will protect the consumer too much. I defy anyone to show me a moment in American history when we did too much to protect consumers in the financial area. What we try to do here is to put something in place that will go against that overriding tendency to underprotect the consumer. And the Republicans say, Oh, no, we're for consumer protection. We're not trying to abolish this agency. Yes, they are.

Let me cite the bill they sponsored last year. The gentlewoman from Illinois (Mrs. BIGGERT) supported the bill. What it did was, it would take the Federal Financial Institutions Examination Council, extend it to 14 members. It would put on there for consumer protection a whole range of Cabinet officers and others. And it would give them the power to study this issue. But it is very, very clear that this council would have no power.

Here's what it says. This is the Biggert bill that was submitted instead of an independent consumer agency with enforcement powers. Page 5: No provision of this subsection shall be construed as conferring any enforcement authority to the Council. Here's what it does to come to the aid of the beleaguered consumer. It sets up a hotline. I don't know what movies they've seen, but I can't remember one where a hotline rode to the rescue of the imperiled.

So they establish a toll-free hotline and Web site to contact regarding inquiries or complaints related to consumer protection. And what does this powerful council do with this important hotline? It refers the inquiries of complaints to the appropriate council member. You know who your council members are? The bank regulators, the Federal Reserve, the Comptroller of the Currency. So instead of having an independent agency—and yes, the chairman of the committee, Mr. BACHUS, said, We think that safety and soundness has to be considered; so we don't worry about a Federal Reserve and FDIC. They had no interest in the fact that they underprotected consumers and allowed consumers to be abused, historically. We do worry, Mr. BACHUS says, about a consumer protection agency whose sole goal is to benefit consumers without considering how that benefit affects the banks, because he believes the regulators are there to serve the banks.

So here's the Republican plan. It takes the bank regulators, you throw in a few other Cabinet officers, you get it to an unwieldy size. You let them do studies, and you let them set up a hotline. You let them set up a hotline. What a powerful tool. And when things come in over the hotline, they then refer them back to the very same bank regulators who failed to do this. Now, that's what they really wanted.

We were able to get this passed. And they know it's popular. They understand what the public thinks. The public does not think that the poor banks

need to be protected against these rapacious consumers. So they come up with—instead of repealing it outright—with ways to weaken it. We ought to reject this because this particular bill is a proxy for what they really want to do—abolishing the whole agency.

□ 1350

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

I'm going to have to stand up for what we're here for today, and that is, Madam Speaker, that after this bill was passed, it took almost one year for the President to appoint the person who would run the CFPB. The person who runs the CFPB is required to have Senate confirmation. During Senate confirmation—and it's a process that takes place for senior administrators who run our government—during that period of time this person who is nominated by the President would be expected to come in on behalf of the agency as a result of understanding their mission statement and the things that they do and would be expected to come to the United States Senate and to express their ideas. This is a brand new agency. How it would be run, what their mandate would be, how they would manage the assets and resources not only of the agency but how they viewed that mission statement vis-a-vis the industry.

The President took a year to nominate this person. That person has not even begun their hearings. I think, and this is what Republicans think, and this is what our bill says today. I know the gentleman, Mr. FRANK, said, Oh, no, Republicans have something far greater and bigger. It's that they don't want this agency. Well, perhaps we don't want the CFPB. Perhaps we don't. But that's not what we're here today saying. We're here saying that until that head of that agency has a chance—a brand new agency—has a chance—after all, it's taken a year to come and speak forthrightly to elected officials that are called Members of the Senate to answer questions about how they would run this agency, what the philosophies should be, what the intent of the agency is, how the interaction between other agencies really should be done, what they think of the law, and what they see their job as being. Those are important issues. And so Republicans are saying we should not move forward on that until such time as we are able to go through that process. So that's really what Republicans are here for.

I know there are a lot of people listening and watching and think there's something sinister about Republicans. This is common sense. Republicans are here talking about an agency that will have broad and almost unlimited access to the marketplace. To overregulate, if you look at the possibilities. And we're trying to say before we kick this thing off, let's make sure we have an idea of what the leader would say. Otherwise, we should go to a group of people who will run this, not just one.

So that's what we're here to do today.

I reserve the balance of my time.

Ms. SLAUGHTER. I yield 1 minute to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. First, Madam Speaker, I want to reassure the gentleman from Texas I don't think he's sinister. I think he is opposed to effective consumer protection. I think he and the other Republicans, some of them believe—the chairman of the committee—that the regulators are there to serve the banks. I do believe that they were opposed to it last year. And I appreciate his honesty, his approach towards openness when he said perhaps they're against it. Perhaps they're against it. They understood it would be a bad idea to go all out to try to weaken it.

But let me respond to his point about confirmation. It's bogus, Madam Speaker. He said we're just trying to hold this up until there's a confirmation. But 44 Republican senators have announced that they will not allow any confirmation to go forward—they will filibuster it, and they have more than the 40 they need to do that—until the agency is weakened. They have said they will not allow it to go forward until we allow the bank regulators, who Republicans think are there to serve the banks, can overrule this. And they weren't just saying that about Elizabeth Warren. Forty-four Republican senators contradicted the gentleman from Texas. He talked about this wonderful confirmation process. It can't happen because 44 Republicans have said until we give in and weaken the agency, they won't confirm anybody.

Mr. SESSIONS. Madam Speaker, I appreciate the gentleman's perspective of looking into my brain and knowing what I think or talking about how 44 senators override what I'm saying. I would tend to offer the argument that as we near now the August recess, they had every understanding that the President, without this person going through hearings, having to come to Congress, to the Senate, to talk about and go through these hearings, that the President would just offer a recess appointment. In other words, bypassing exactly what we're talking about should happen, and that is where this brand-new nominated person, after a year, waiting until just a few weeks before the August recess.

Madam Speaker, what we're saying is we're not going to allow, in the Senate, the 44 Senators saying they're not going to allow a recess appointment where this person is appointed, nominated, and just gets it done because the Senate is gone. We're not going to allow him to skip out of coming and having to be thoughtful and talking about what he's going to do as the head of this CFPB.

So to say that 44 Senators really are trying to do the wrong thing or that I'm here trying to suggest something different is not true. We believe that this new agency must have the person who's going to head it to come to Congress, be forthright and open to hearing questions and responding back. I think that's open, honest, transparent, and legitimate. And if the President waited a year, he should expect that we would probably have an opinion that we would not want a recess appointment.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my friend from New York for yielding.

Tomorrow will be yet another Friday without a paycheck for 15 million Americans, and this is the 198th day of the Republican majority. It is the 198th day that they've brought no legislation to the floor to address the jobs crisis and create jobs for the American people. Now most of those 198 days, they've ignored the problem.

Today's bill is a curious approach to the problem that I think makes it worse. Americans painfully remember what happened in the fall of 2008 when the big banks started to go under and slip under. People's 401(k) accounts melted, people's home equity disappeared, and to this day most Americans' homes aren't worth nearly what they were worth in the fall of 2008. Foreclosures went up, jobs went down, and people's hopes went out the window.

The predicate of today's bill is the reason that all happened is there weren't enough regulators watching the banks. Or, excuse me, the predicate of today's bill is that there were too many regulators watching the banks. I had it backward because it's so obvious.

You understand that today's bill starts from the presumption that the problem here is that there were too many people watching what the banks did to make sure they did the right thing by the country. I think exactly the opposite was true.

I think the fact that these banks could take money insured by the taxpayers under the FDIC and gamble it on credit default swaps was wrong; I think the fact that they could sell junk bonds masquerading as valid mortgages was wrong; I think the fact that they charged extortionist credit card interest rates was wrong; I think the fact that they papered over loans for people who never should have gotten loans was wrong. And the problem was not that their hands were too tied; the problem was that they were being ignored by the regulators.

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

Ms. SLAUGHTER. I yield the gentleman an additional minute.

Mr. ANDREWS. I appreciate the gentlelady.

So I would just say to you that after 198 days of essentially nothing on jobs, they now bring to the floor a bill that says, let's fix the jobs problem by having fewer regulators watch the big banks.

There are very few people in America who think the problem is the banks didn't have enough regulators. Unfortunately, almost all of them are in this Chamber on the Republican side of the aisle.

I yield to my friend from Massachusetts.

Mr. FRANK of Massachusetts. My friend is unfair to the Republicans, because they do create more jobs in this bill. The CBO says this bill will cost $71 million because instead of the single administrator, they want to create four more bureaucrats, with more staff. CBO says this will cost $71 million.

So, in fact, there are some jobs they're going to create. They will be for bureaucrats who can dilute the activity of the consumer bureau.

□ 1400

Mr. ANDREWS. Reclaiming my time, I respectfully would correct the record and say the Republicans have not created no jobs; they've created four, for four more bureaucrats who will ignore the abuses the banks are predicating on the American people.

Mr. SESSIONS. Mr. Speaker, I would like to yield 5 minutes to the chairman of the Financial Services Committee, the gentleman from Birmingham, Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, I've been listening to the debate on the floor, and although this was concerning the rule, there have been a lot of false claims lodged against what this legislation does.

It does not gut the Consumer Financial Protection Bureau. It is not anti-consumer. It is not an attempt to repeal Dodd-Frank. It does three simple things, and all three of those things, Mr. Speaker, the Democrats were for before they were against. These are all proposals that they have made. We all know who the person who first proposed the Consumer Financial Protection Bureau is. I think all of the Members of this body would say it was Elizabeth Warren.

What did she propose? She proposed a bipartisan commission. She did not propose the end result of Dodd-Frank, which was an unaccountable czar. A five-member board is done for almost every other agency, the exceptions being the EPA and the OCC. With both of those, the OCC is accountable to Congress because it is part of the Treasury Department, and is subject to OMB. The EPA is a Presidential appointee, a Cabinet member. He has to be confirmed. Not only that, he has to come to the Congress for appropriations. There is no accountability on the part of this body.

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. BACHUS. I will yield to the gentleman to just answer this question: Was a bipartisan commission proposed by Elizabeth Warren? That's number one. Then you can respond to it or ask me a question. My number one question: Did she propose a bipartisan commission?

Number two, is that what you introduced into the House, saying that that was the fairest approach?

I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. First, I would say the Comptroller of the Currency, which is in the Treasury for administrative purposes, is legally independent, and the Secretary of the Treasury has no right to interfere. The Comptroller of the Currency is not subject to appropriation; so the Comptroller of the Currency is even more independent.

Mr. BACHUS. That doesn't sound like a ''yes'' or a ''no.''

Mr. FRANK of Massachusetts. The gentleman made a statement. I am ready to get to it. Do you want me to answer?

Mr. BACHUS. Yes.

Mr. FRANK of Massachusetts. You made a statement about the Comptroller of the Currency, a statement which I thought was inaccurate, and I wanted to correct it.

Now, as to Elizabeth Warren, yes, that's what she originally proposed, and I decided and others on our side decided that this would be more effective. We thought, after listening, that the five-member commission wouldn't work as well, particularly with the Senate refusing to confirm with the 44 Senators.

Mr. BACHUS. That's right.

Mr. FRANK of Massachusetts. So, yes. We listened, and we decided it would be a stronger agency.

Mr. BACHUS. I reclaim my time.

What the gentleman said is, yes, that's what Elizabeth Warren proposed. Then he said, yes, that's what I introduced. Then he said, but I decided at some point that we would rather have an unaccountable czar because we want him to do whatever we want him to do.

POINT OF ORDER

Mr. FRANK of Massachusetts. A point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. POE of Texas). The gentleman will state his point of order.

Mr. FRANK of Massachusetts. I won't quite ask for them to take my words down, but the gentleman just simply misstated, blatantly, what I said. He said I want a single accountable czar. He was not quoting me. I said I wanted a single person.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. FRANK of Massachusetts. It is that the gentleman misstated my words quite clearly, and I believe they should be taken down if he is not ready to rescind them.

Mr. BACHUS. I will change my remarks. He said a single director, who doesn't have to come to Congress for an appropriation. The second thing we do is we have an appeal process, or a review process.

Now, if I could have the second slide, what we have asked for is what you said you gave us; but this legislation—I won't say who—created a sham review process, and we want a realistic review process. We don't think any single person ought to be able to dictate a rule without any accountability.

So what do we do? What is set up in Dodd-Frank?

Seven out of the 10 regulators have to determine that any one rule will endanger the entire financial system—one rule. In other words, it takes seven of President Obama's 10 appointees to say that it would bring down the entire financial system. How would one rule ever do that?

What we say is it endangers the safety and soundness of our financial institutions. That's all we do. That's all we do.

Ms. SLAUGHTER. I would like to inquire of the gentleman from Texas how many speakers remain on his side.

Mr. SESSIONS. I appreciate the question.

I have no further requests for time.

Ms. SLAUGHTER. I would like to inquire as to how much time remains.

The SPEAKER pro tempore. The gentlewoman from New York has 2 minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, in closing, this rule and this bill will do nothing but get in the way of the important work of an agency designed to help consumers who are being taken advantage of by unscrupulous lenders. The Consumer Financial Protection Bureau is not even up and running yet. There is no reason to think it won't work exactly as intended. Is that what the majority is afraid of?

Are they afraid that CFPB will make prices clear? that they will make terms and conditions clear? that they will ensure that mortgage disclosures are short, relevant and understandable by the consumer and the lender?

Are they worried about letting consumers shop for the best product at the lowest price? to help consumers understand the true cost of a financial transaction? that a cop on the beat will make sure the largest financial institutions in this country are following the law?

If that's what they're afraid of, then we don't want to join them, Mr. Speaker. I urge my colleagues to vote ''no'' on the rule and ''no'' on the underlying bill so that the Consumer Financial Protection Bureau can do its job without Congress getting in the way.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, Congress has an opportunity today to ensure that we protect consumers and American business. Additionally, we have an opportunity to ensure the safety and soundness of financial institutions in the United States. That's what we are also here to do.

Reforms to the CFPB are necessary and, I believe, timely. Congress must

and has a responsibility to do everything that we can to encourage economic growth, jump-start the free enterprise system and put Americans back to work. Growing our economy and slowing Federal spending will be the best way that we can work together to get our economy back on track, to get out of rising debt and also out of the financial malaise that's underway. This legislation provides for some of these necessary steps.

I applaud my colleagues. I thank my colleagues also on the Republican side who were here to not only defend what we're doing but to talk about the need for such action. This bill that we are facing here today has the support of the chairman of the Financial Services Committee, the chairman of the Rules Committee, and I applaud them for providing such an open and transparent process. I also encourage a ''yes'' vote on the rule.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

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

□ 1410

PROVIDING FOR CONSIDERATION OF H.R. 2551, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 359 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 359

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and except pro forma amendments offered at any time by the chair or ranking minority member of the Committee on Appropriations or their respective designees for the purpose of debate. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

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

GENERAL LEAVE

Ms. FOXX. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. FOXX. House Resolution 359 provides for a structured rule for consideration of H.R. 2551, the fiscal year 2012 Legislative Branch Appropriations bill.

Mr. Speaker, I rise today in support of this rule providing for consideration of H.R. 2551. This rule represents a continuance of fulfilling the new Republican majority's pledge to implement a more open legislative process in providing for consideration of a bipartisan list of 16 amendments, which is more than at any time dating back to at least 1988. Twelve amendments were made in order in both the second session of the 103rd Congress and the first session of the 104th.

This is in stark contrast to the past two Congresses in which Democrat domination of this House provided for a collective grand total of four amendments that were allowed to be debated during the past 4 years, when three were made in order during the first session of the 110th and one in the first session of the 111th.

In fact, even considering a Legislative Branch appropriations bill is a change of pace from Democrat control when 2 years yielded no consideration of standalone funding legislation, second sessions of both the 110th and the 111th Congresses. In other words, with the consideration of this single rule and bill, the House Republican majority is making in order four times as many amendments on standalone legislative branch appropriations legislation as were provided for in the previous 4 years of liberal Democrat House domination combined.

Given the terrible budgetary mess we inherited from the liberal Democrats, the underlying bill reflects the Republican House majority's continued drive for restoring the fiscal restraint that is so desperately needed in this city.

The bill appropriates $3.3 billion for legislative branch entities, including $1.2 billion for House operations and $2.1 billion for legislative branch agencies and other offices, including the Capitol Police, Congressional Budget Office, the Library of Congress, the Government Accountability Office, and Government Printing Office. This total is $227 million, or 6 percent less than the current funding, and $472 million, or 9 percent less than requested by the offices and agencies covered by this bill.

The cuts come on top of the 2.5 percent, or $115 million, cut from fiscal year 2010 contained in H.R. 1473, which was the fiscal year 2011 continuing resolution deal that was ultimately signed into law.

That bill provided $4.5 billion for the legislative branch, including a reduction of $55 million in funding for the House from the year before, and provides a 5 percent cut in Member, committee, and leadership office expenses, except for the Appropriations Committee, which offered a larger 9 percent cut.

At this point, Mr. Speaker, I will insert at this place in the RECORD a budgetary outline of H.R. 2551.

Out of the $1.2 billion provided in this bill for House operations:

$574 million is provided for operating members' offices, $39 million (or 6%) less than current funding and $60 million (or 9%) less than requested.

$293 million for allowances and expenses, $24 million (representing 8%) less than current funding and $15 million (or 5%) less than requested.

$153 million for salaries and expenses of House committees, $10 million (representing 6%) less than current funding, and $10 million (or 6%) less than requested. -and-

$178 million for functions performed by the various House officers and employees, including the Clerk of the House, the Sergeant at Arms, and the Chief Administrative Officer, $16 million (or 8%) less than current funding, and $26 million (representing 13%) less than requested.

Furthermore, the bill provides funding levels for the following agencies:

$490 million for the Architect of the Capitol, which is $37 million (or 7%) less than the current level, and $129 million (or 21%) less than requested.

$340 million for the Capitol Police which is equal the current funding, but $47 million (or 12%) less than requested.

$575 million for various activities of the Library of Congress which is $53 million (or 9%) less than the current level and $91 million (or 14%) less than requested.

$113 million for activities of GPO which is $22 million (or 16%) less than current funding and $35 million (24%) less than requested.

$44 million for CBO which is $3 million (or 6%) less than current funding and $3 million (or 7%) less than requested.

$511 million for GAO which is $35 million (6%) less than current funding and $46 million (8%) less than requested.

Even with all of these funding reductions, it's easy for those who look at Washington, D.C., and see only political dysfunction to oppose providing any funding at all for the legislative branch. While they may see this bill simply as a vehicle for fattening the paychecks of congressional staff and other undesirables, we must remember the important work these support people provide in the function of the most important branch of government.

Contrary to popular belief, congressional staffers work notoriously long hours for relatively little pay and help us represent the views of our constituents. Furthermore, hundreds of thousands of constituents throughout the country are helped to navigate the Federal bureaucracy every day by our local case workers working in nearby district offices. Their work here is hardly the self-enrichment many people are led to believe by populist media sources eager to pose the catchiest headlines.

At the same time, we must remember the many important functions this funding provides in serving and protecting the American public. Given ever-evolving security threats, this bill funds the Capitol Police who protect critical infrastructure as well as secure the safety of the thousands who visit Capitol Hill every day. And we thank the Capitol Police for their invaluable service.

Furthermore, this bill's funding provides for the maintenance, operation, development, and preservation of 17.4 million square feet of buildings and more than 460 acres of land throughout Capitol Hill, including the House and Senate office buildings, the U.S. Capitol, Capitol Visitor Center, the Library of Congress buildings, the Supreme Court buildings, the U.S. Botanic Gardens, the Capitol power plant, and other facilities which are needed for Presidential inaugurations and other ceremonies of national importance.

The responsible funding level in this bill provides adequate funding for the critical functions of the legislative branch but also represents a step in the right direction towards enhancing government efficiency. During these times of fiscal restraint, this bill underscores the new House Republican majority's will to share in the pain of difficult spending decisions.

□ 1420

Mr. Speaker, not too long ago, it used to be that if funding levels weren't rising fast enough, then Congress was seen as cutting a program. That reality is no longer. When the new House Republican majority says we're going to cut spending, we actually reduce spending. This is the commonsense understanding of the American people which is reflected in the underlying legislation. And I will urge my colleagues over and over to support this rule and to support the underlying legislation.

With that, I reserve the balance of my time.

Mr. POLIS. I thank the gentlewoman from North Carolina for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

I rise in opposition to the rule; again, a rule that is not an open rule that allows for different amendments to be brought forth under this rule, as we have done with other appropriations bills. I also rise in opposition to the underlying bill.

Mr. Speaker, when Americans think of Congress, they likely picture our beautiful Capitol Building, its iron dome, the rotunda filled with so many tourists each day, and so many sites on the National Mall and around the Capitol complex. But that is really just the physical infrastructure that we all live in and around. What really makes Congress function, or fail to function, are its people, its human capital, the staff that we have on the Hill that help keep Members informed and able to effectively operate in an increasingly complex world.

The bill before us risks squandering Congress' human capital. The bill cuts the legislative branch by 6.4 percent below 2011 and 9 percent below 2010 funding levels. What that means is the hardworking and underpaid and overworked men and women who staff our offices and our committees, giving long hours—frequently giving up their weekends. They'll be working through next weekend, Mr. Speaker. And I think there are very few jobs where they are actually thrilled to be informed that they actually have the weekend off. I know that not only myself but my staff rejoiced in leadership's decision to allow us not to work this weekend. I think that is a bar that most people assume they won't be working on weekends. Well, we assume in many cases we are, and we are actually very happy when we only have a 5-day workweek. That's the type of dedication that brings people into this line of work.

This cut will result in layoffs and pay cuts for members of the staff. And I would like to point out, it doesn't ask anything of the highest paid people here, the Members of Congress. We make $174,000 a year. I am a cosponsor of a bill to reduce that by 5 percent. But here we are, cutting salaries for people making $30,000 and $40,000 a year without cutting the salaries of any of us who make $174,000 a year. Again, I think that's just wrong. I think it's consistent with the Republican agenda of preserving tax cuts for people making over $250,000 a year and making hardworking middle class families earning $80,000, $100,000 a year dig deeper and pay more by cutting student loans and programs that they benefit from.

So it shouldn't come as any surprise that that Legislative Branch appropriations bill is consistent with that in that it asks great sacrifices and at a time that we all agree our country has to cut back. But it asks great sacrifices of those making $30,000, $40,000 a year and takes nothing away and demands nothing of those who are earning $174,000 a year, namely, the Members of Congress themselves.

Another concern about this bill is, instead of strengthening security in the wake of violence against Members, including the events in Tucson several months ago, instead of investing in inspectors, they've slashed, under this proposal, every operation under the legislative branch except for Capitol Police, but including the Sergeant at Arms Office. Again, this represents a potential physical threat to Members at a time when, unfortunately, our national discourse has become more divisive than ever.

This bill also cuts the Library of Congress by 8.5 percent. I want to explain, Mr. Speaker, what the Library of Congress does and how we, as Members of Congress, rely on them. They are our objective research service. My staff and I, along with other Members of this body, rely on the Congressional Research Service. We get experts on issues on the phone, bring them to our offices to gain their expertise on complicated appropriations, budget issues, the peace process in the Middle East. This information is a vital part of producing sound legislation.

They are our only objective source of information. By reducing their ability to supply Members of Congress and our staff with quality information, we only empower the lobbyists and the other exclusive purveyors of information in this town who will give less objective information than Members of Congress and their staffs will have to increasingly rely on, rather than the Congressional Research Service.

The Government Accountability Office is cut by 6.4 percent. I want to point out that the GAO saves money. Again, every $1 we spend at the GAO results in $4 of savings. This is an office charged with finding savings and excess on duplicative expenditures. So by cutting their ability to do that, we actually increase wasteful spending elsewhere in the budget. It's the congressional watchdog. Taking away funding from the GAO means taking away methods on how we can alert policymakers to emerging wasteful spending and wasteful programs throughout government.

GAO is proven to protect taxpayer dollars. It was GAO that warned Congress about problems in the savings and loan industry. It was GAO that warned Congress about the dangers of deficit spending. If there's a looming issue that's not getting public attention but threatens public dollars, the GAO needs to be there to do thoughtful research and help Congress understand these issues.

I am also very concerned with the cuts to the Congressional Budget Office, the 6 percent cut. The Congressional Budget Office is critical to reducing our deficit. To cut Congressional Budget Office spending now, at a

time when we are coming up with trillion-dollar plans to reduce our deficit, would prove that the majority does not value proper accounting or prompt consideration of important policy proposals. We want to make sure that what we are passing has cost savings, reduces the deficit, and cuts spending, and the taxpayers are protected. We also want to make sure we pass legislation as expediently as possible. And if we're cutting off funding to the Congressional Budget Office and we expect layoffs, I'm not sure that we have the taxpayers' best interests at heart.

There were also amendments that were brought forth in the Rules Committee that, if we had an open amendment process, we would be able to include; but, unfortunately, they were not made in order under this particular rule, including a bipartisan amendment by DEBBIE WASSERMAN SCHULTZ and Representative SCHWEIKERT. The amendment would have provided $100,000—not of new money but rededicated from another account to name one of our rooms in the Capitol Visitor Center the Gabriel Zimmerman Meeting Room.

Who is Gabriel Zimmerman? He is the first congressional staff person in this country's history to die in the line of duty. He was with Representative GIFFORDS in the January 8 tragedy in Tucson, Arizona, that struck this country and shocked our Nation and really tore through the fabric of the congressional community. Representative SCHWEIKERT and Representative WASSERMAN SCHULTZ came together to provide a fitting memorial for a member of our congressional family that died in the line of service. Gabe Zimmerman was a loyal, dedicated public servant; and he made the ultimate sacrifice to this country as the first congressional staff person murdered in the line of duty in the history of our country.

This distinction wouldn't have cost taxpayers any money and would have recognized not only the devoted service of Gabe but also of the thousands of other staff people on Capitol Hill and I think would have been appropriate, particularly at a time when every Member's office will be involved with pay cuts and layoffs as a result of the 6.5 percent cut, to show that beyond the dollars, the giving of your life and the dedication of the staff that help keep us well informed in making decisions in the best interests of the country is appreciated by the institution of Congress as a whole.

I therefore oppose the rule, as well as the underlying bill.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, my colleague from Colorado would have the American people believe that we can't make any cuts in spending at the Federal Government level, but I don't believe that argument is going to go very far. The American people know that we can make big cuts in spending at the Federal Government level, and Republicans are making sensible cuts in spending at the Federal Government level. In the leg branch, it's not a huge amount of money that we have control over; but we believe, on our side of the aisle, that we should make spending cuts everywhere.

Many millions of Americans have lost their jobs since the Democrats took control of this Congress in January of 2007. We had a 4.5 percent unemployment rate when they took over, and now we've had north of a 9 percent unemployment rate for several years. Those people didn't have any choice at all about whether they continued their income or not. What we're saying is, we want to continue the vital functions, those particularly that serve the American people. We want to keep this Capitol looking great.

□ 1430

We want to keep the Capitol Police force at full force. We want to give them the tools that they need. But everybody in Washington, D.C., can work a little harder and spend a little less money to make it easier on the American public, and that's what we're recommending in this bill. And I believe this rule does a very good job of representing the amendments that were presented to the Rules Committee.

Mr. Speaker, I could go on and on about what are the problems that we're facing here, but I think it's better if I quote someone who put some of the situation that we have here in perspective. And so I'd like to quote a Washington Post article by Charles Krauthammer, a brilliant essayist, who put forward this article.

He said other solutions are being suggested by ''the man who ignored the debt problem for 2 years by kicking the can to a commission.

''Promptly ignored the commission's December 2010 report.

''Delivered a State of the Union address in January that didn't even mention the word 'debt' until 35 minutes into the speech.

''Delivered in February a budget so embarrassing—it actually increased the deficit—that the Democratic-controlled Senate rejected it 97–0.

''Took a budget mulligan with his April 13 debt plan speech. Asked in Congress how this new 'budget framework' would affect the actual Federal budget, Congressional Budget Office Director Doug Elmendorf replied with a devastating 'We don't estimate speeches.' You can't assign numbers to air.

''The flip-flop is transparently political. A clever strategy it is: Do nothing and invite the Republicans to propose real debt reduction first; and when they do—voting for the Ryan budget and its now infamous and courageous Medicare reform—demagogue them to death.

''And then up the ante by demanding Republican agreement to tax increases. So first you get the GOP to seize the left's third rail by daring to lay a finger on entitlements. Then you demand the GOP seize the right's third rail by violating its no-tax pledge. A full spectrum electrocution. Brilliant.

''And what have been Obama's own debt reduction ideas? In last week's news conference, he railed against the tax break for corporate jet owners—six times.

''I did the math. If you collect that tax for the next 5,000 years—that's not a typo, 5,000 years—it would equal the new debt Obama racked up last year alone. To put it another way, if we had levied this tax at the time of John the Baptist and collected it every year since—first in shekels, then in dollars—we would have 500 years to go before we could offset half of the debt added by Obama last year alone.

''Obama's other favorite debt reduction refrain is canceling an oil company tax break. Well, if you collect that oil tax and the corporate jet tax for the next 50 years, you will not have offset Obama's deficit spending for February 2011.''

Mr. Speaker, there you have it: Liberal hypocrisy exposed in another brilliant Krauthammer essay.

The choice before the American people is clear. We can either continue accommodating the passions of the liberal elite in cementing a bloated dependency state fueled by job-crushing tax increases, or we can trim spending so private sector employers and innovators, who are the real creators of wealth, can do what they do best in healing the wounds of unsustainable government largesse.

Mr. Speaker, our colleagues on the other side of the aisle simply cannot stand any kind of cuts. What they want are tax increases and continued irresponsible spending.

Republicans are bringing a different message, a message from the American people.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. I want to thank the gentleman for yielding and also for his leadership.

Mr. Speaker, I rise in opposition to this rule and in opposition to the underlying bill.

As a member of the Appropriations Committee and former vice chair of the Leg. Branch Subcommittee, I am deeply saddened by Republicans' ongoing efforts to weaken and dismantle our democracy. The Leg. Branch appropriation bill is simply an inadequate and misguided bill. We must not gut one of the coequal branches of government. We should be working to ensure that we are strengthening and preserving the most direct voice the American people have in our government, the legislative branch, especially the House of Representatives, the people's House.

Passing this bill will undermine one of the fundamental building blocks of our democracy, and it will weaken our Nation. Failing to provide adequate resources to the leg. branch will mean

that all of our congressional offices, both here and in our home districts, will face cuts in staff. The constituent services that we provide would suffer right when our people need them the most.

Our constituents rely on our staffs to help us develop sound legislation and to provide constituent case work. Our constituents rely on them to keep them informed about the complex and incredibly diverse issues that fail our Nation each and every day.

Now, I worked as a staffer for my mentor and predecessor, Congressman, Mayor, Ron Dellums; so I know very well how hard staffers work to help us represent the American people. These staffers are paid much less. They work more hours than most public employees, not to mention the private sector employees.

We need to keep in place the resources necessary to attract the best and the brightest to public service. When you gut this budget, you are creating more unemployed people who will need to go on unemployment compensation.

This is an example of the policies that Republicans are putting forward to create more unemployment and a nonresponsive government. It is vital that our district offices and our Washington offices are fully staffed to make sure that our constituents—this is about our constituents—that they will continue to have access to the services so that they don't just get hung out there once again because, in this hard economic time, many, many people are desperate and they need our help.

This is just another signpost on the road to ruin during this ''good luck'' Republican Congress. This bill says good luck to finding a job. It says good luck to finding affordable health care. This bill says good luck to keeping your home and your family intact. Good luck to feeding your family and your children. When the public demands, as they should, constituent services and help, this bill says, good luck to our constituents.

Representative democracy is really on its way out the door. Case work will be greatly diminished with these unrealistic budget cuts. Bills like this clearly show the Republican agenda for what it is. It's really: Good luck, you are on your own.

Let me ask Members to please oppose this bill because this is not good. It's not good for our staffs; it's not good for our constituents; it's not good for the country.

Ms. FOXX. Mr. Speaker, I yield 3 minutes to my distinguished colleague from Texas (Mr. SESSIONS).

Mr. SESSIONS. I want to thank the distinguished gentlewoman from North Carolina, who sits right next to me in the Rules Committee and has for a number of years. And I appreciate not only her leadership but her service.

Mr. Speaker, I want to stand up just as a Member of this body. We're all equal representatives in this body, and I do recognize that there are people that come down here and talk about all the layoffs that will occur and all the hard times and people losing their insurance and all the dramatic things that will happen.

Mr. Speaker, we need a 6 percent cut. We need a 6 percent cut because we've been receiving outlandish increments of increases for a number of years, including the first year, I believe, that Speaker PELOSI was in, a 10 percent increase.

Mr. Speaker, the American people are having a tough time. But the American free enterprise system, when faced with these opportunities, and I think it's what will happen in our offices, we're all going to look at each other; and instead of laying somebody off, we'll all understand there's not enough money to go around and we're going to have to all take a sacrifice.

□ 1440

That's what I intend to do in my office, and I hope my employees will understand that.

This is going to mean some changes, and sometimes change is hard. But just to continue to receive more money because taxpayers, who control the money—that taxpayers would expect us to just answer every one of their questions and do every one of their things is an outlandish example of a government out of control.

We need to make sure that our offices are just as responsible as other areas of the government. It's time to cut back. It's time that we take a hit. It's time that we join with the rest of the American people and understand these are difficult times; these are difficult times because government is too big, costs too much money, listens too little, and now is unadaptive to the hard times themselves.

Mr. Speaker, I say let's vote for this Legislative appropriations bill, and let's cut the amount of money that we have for ourselves in the House of Representatives. A 6 percent cut helps lead the way, and we can do that. That's why Republicans are in the majority; we can make tough decisions in difficult times.

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

Now, again, I know how my colleague from Texas and my colleague from North Carolina have discussed how tough these economic times are and how Congress needs to tighten its belt, and that's true. But where is the actual belt-tightening for Members of Congress ourselves? What are Members being called upon to sacrifice? Did we cut our own salaries to help spare layoffs for staff people making $25,000 a year? No. And how about the many Members of Congress who proudly talk about living in their offices. Are they going to start paying rent? They're essentially living rent free on the government dime. They use electricity, water and other taxpayer-paid-for resources. We have Members of Congress who are squatters in government buildings. And as a businessman, I can tell you that if I owned a piece of commercial real estate and decided to start saving money or rent by living in my office, I would be violating the law. So don't tell us that you're being frugal by living in our office. You're living free at the taxpayers' expense, any Member who does that.

And how about the cars that Members lease? I don't know too many Americans who have jobs that give them a free car to use however they choose, but Members of Congress have that benefit. And many abuse it with car leases that cost as much as $1,000 a month or more. Now, I appreciate there is an amendment on this issue, but those car leases should be eliminated in this bill, not capped at $1,000. Members would still be permitted to have cars that cost $950 a month paid for by taxpayers, at the same time we're slashing salaries of staff people making $25,000 or $30,000 a year.

In difficult economic times, it makes sense to cut back on everything. It makes sense to cut back on our own perks before laying off hardworking employees. Congress chose not to do this with this bill, and the closed process associated with this bill does not allow us to bring these proposals forward. When it comes time to cut, the majority has said hit the little guy, leave the big guy alone, hit the person who can least afford to go without. Talk about shared sacrifice right up until it involves giving up something that benefits you or your friends.

If you vote for this bill, Mr. Speaker, please do not tell me that you're willing to make the hard choices about the budget for the good of the Nation. You have made the easy choices. This bill cuts Members' day-to-day abilities to effectively represent constituents while leaving all of the perks of office untouched.

I strongly urge a ''no'' vote on both the rule and the bill.

I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I don't think that Members of Congress should be extravagant in their spending in any way whatsoever, but I think it's up to the voters to hold those Members responsible for what they do. If there is a Member that is leasing a car that's paying an exorbitant amount of money, then the voters should turn that person out if they think they're wasting their money. I would certainly think that person is wasting his or her money. That's up to the voters to take care of.

We're doing our part here in the Congress. We are balancing between making sensible cuts and making sure that the public is well served when it visits Washington, D.C., and the public should be well served by the individual Members. And I hope that if there are abuses on the part of any Member of Congress, no matter which party he or she belongs to, that the voters will look into that and take care of that

person. But that is not our exact responsibility here. Our responsibility is, as it is everywhere, to allow a certain amount of money to be spent in the Members' offices, and then each Member should be held individually responsible.

Mr. Speaker, we have discussed at great length today why America needs this rule and this bill. Voting for these measures will allow the House to continue its work toward resolving the debt crisis currently gripping the Nation. As we continue this debate, we must remember the simple truth that tax increases have been tried before and led us to the mess that we have today.

We should not be raising taxes because tax increases do nothing more than fuel parasitic, wasteful government spending. We are cutting the spending for the leg branch in a very responsible way, and that's what we should be doing. But it is past time that we pursue an innovative idea, one that is unparalleled in modern American history, and that is to cut spending and shorten the long arm of government that is currently choking economic prosperity. That is what is happening in every appropriations bill that we're passing.

As we rapidly approach our Federal debt ceiling, our economy is struggling and people are looking for jobs. Americans crave accountability and belt-tightening in Washington and need the Federal Government to stop draining job-creating resources from the private sector to fund misguided adventures in social engineering. They demand action and they deserve answers.

H.R. 2551, for which this rule provides consideration, reflects the House Republican majority's unending commitment to restore the fiscal discipline that is so long overdue in this city. It represents a sensible balance between the vital need for budget restraint and funding the critical functions of the legislative branch.

Without compromising the safety or security of critical infrastructure, this bill further trims the fat and encourages efficiencies while demonstrating that we are not immune to feeling the effects of much needed spending cuts that are so desperately needed throughout our bloated Federal bureaucracy.

It is for these reasons that I urge my colleagues to vote for the rule and the underlying bill so that we can begin to restore the trust Americans have in their Federal Government.

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

The previous question was ordered.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 359 will be followed by a 5-minute vote on adoption of House Resolution 358.

The vote was taken by electronic device, and there were—yeas 239, nays 172, not voting 21, as follows:

[Roll No. 613]

YEAS—239

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
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
Diaz-Balart
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)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
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
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NAYS—172

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

NOT VOTING—21

Bachmann
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Butterfield
Castor (FL)
Costa
Ellison
Giffords
Griffith (VA)
Hinchey
Hirono
Johnson (GA)
Landry
Rogers (MI)
Sánchez, Linda T.
Schock
Scott, Austin
Sullivan
Young (AK)

□ 1513

Ms. CHU and Mr. COOPER changed their vote from ''yea'' to ''nay.''

Mr. KINGSTON changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1315, CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 358) providing for consideration of the bill (H.R. 1315) to amend the Dodd-Frank

Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 238, nays 177, not voting 17, as follows:

[Roll No. 614]

YEAS—238

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
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
Cooper
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
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Hirono
Landry
Schock
Scott, Austin
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1521

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BISHOP of New York. Mr. Speaker, due to previously scheduled official commitments in my district, I was unavoidably detained and not present in the House Chamber on Thursday, July 21 to vote on rollcalls 612, 613 and 614.

I would have voted "no" on each rollcall had I been present.

PERSONAL EXPLANATION

Ms. HIRONO. Mr. Speaker, on rollcall Nos. 612, 613, and 614, had I been present, I would have voted "no" on all three.

GENERAL LEAVE

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1315 and to insert extraneous material thereon.

The SPEAKER pro tempore (Mr. WESTMORELAND). Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 358 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. 1315.

□ 1522

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. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and for other purposes, with Mr. POE of Texas 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 gentlewoman from West Virginia (Mrs. CAPITO) and the gentleman from Massachusetts (Mr. FRANK) each will control 30 minutes.

The Chair recognizes the gentlewoman from West Virginia.

Mrs. CAPITO. I yield myself 4 minutes.

Mr. Chairman, a year ago, the President signed into law the most sweeping financial regulatory reform package in nearly a generation. The centerpiece of the Dodd-Frank Act was the creation of the Consumer Financial Protection Bureau. While there was nearly unanimous agreement that improvements were needed in the regulatory structure for financial services and consumer credit, we as Republicans did not agree that the best answer to the problems was creating an entirely new bureaucracy.

No legislation is perfect, and Dodd-Frank is a law that needs to be improved and refined. The legislation before us today marks an important step

in improving the structure of the Consumer Financial Protection Bureau.

I would like to thank both Chairman BACHUS and Mr. DUFFY for their leadership on this issue.

The creation of the CFPB presents the first time in which consumer protection and safety and soundness regulation will not be handled by the prudential financial regulators for institutions over $10 billion in assets. While we do not disagree that many of the prudential regulators failed to uphold their responsibilities in the years leading up to the financial crisis, there is a legitimate concern in separating consumer protection from safety and soundness.

This is why H.R. 1315 is a much needed improvement to the Dodd-Frank Act. The act gives the Financial Stability Oversight Council, also known as FSOC, the ability to override a CFPB rule or regulation. However, the threshold is set so high for the FSOC to consider the overturning of a CFPB rule or regulation that, in reality, it will never happen. Furthermore, a two-thirds majority of the FSOC is needed to overturn the rule or regulation once the petition is filed. This simply sets the bar too high and further exacerbates the problem presented by separating consumer protection from safety and soundness.

This is Mr. DUFFY's bill, and it will lower the threshold for petitioning the FSOC to ''regulation which is the subject of the petition that is inconsistent with the safe and sound operations of United States financial institutions,'' and will require a simple majority of the FSOC to overturn a CFPB rule or regulation. This is a critical improvement to the CFPB that will ensure that CFPB regulations strike the balance between consumer protection and safety and soundness.

The Rules Committee Print also includes two bills that the Financial Services Committee has reported favorably. The first represents an important change to the leadership structure of the CFPB that will provide greater stability in leadership and moderation in rulemaking. As we have seen over the last 9 months, the current leadership structure provided for the CFPB is subject to toxic political fights. Individuals and groups from across the political spectrum have advocated for whom they believe to be the ideal candidate and, in some cases, the only acceptable candidate. This is not good for consumers, and it is not good for the legitimacy of the agency.

Rather than a single director, we are advocating for a five-person commission. This strengthens the leadership of the CFPB in two ways. First, a commission provides greater stability in leadership. We are all aware of the challenges in the Senate's ability to approve nominees. A commission where the individual commissioners are staggered in their terms will provide greater stability by ensuring there is always some form of leadership at the CFPB. A commission will also provide greater consistency, not only in rulemaking, but also in administration. I fear that a single director will set up a situation in which the leadership of the CFPB will be subject to the variances in ideology from one administration to another when the director is appointed. Consumers stand to lose the most if we have a situation in which the directorship of the CFPB swings back and forth between the extremes of the political spectrum.

Finally, H.R. 1315 includes legislation that I introduced to prevent the transfer of full powers to the CFPB, which should begin today, until there is a Senate-confirmed director or chairman in place.

Personally, I think this is really good government. We are talking about an agency that is sailing into unchartered waters without a captain of the ship. It is irresponsible to proceed without a leader confirmed by the Senate. In conclusion, I know that the creation of the CFPB is a source of great passion, and I look forward to discussing these bills. I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 3 minutes to one of the leaders on this committee, the gentlewoman from California (Ms. WATERS).

Ms. WATERS. First, I would like to take a moment to thank BARNEY FRANK for his leadership in establishing one of the most important pieces of legislation that has ever happened in the Congress of the United States of America, and that is the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 to create a Consumer Financial Protection Bureau.

I am so pleased to have been able to serve, not only on the Financial Services Committee, but on the conference committee that worked through all of the difficulty of creating this bureau to give protection to consumers who had been forgotten, who had been dropped off of the regulatory agency's agenda, who had not been protected because they simply said that they had the responsibility for safety and soundness and that they didn't know much about consumer protection. They failed on both, but our consumers have been harmed.

Mr. Chairman, the CFPB is needed because it is very clear that our current regulatory framework inadequately protects consumers. Just look at the wrongful foreclosures on veterans, the robo-signings on foreclosure documents, the 500 percent interest rates on payday loans. The list of abuses goes on and on and on.

This bill would undermine the CFPB by creating a commission instead of a director, making it easier for the Financial Stability Oversight Council to override CFPB rules and to delay the transfer date for the CFPB until there is a director confirmed by the Senate. In short, this bill would bring us back to the days when harmful financial products and practices went unchecked and when consumers paid the price in the form of high interest rates, predatory subprime mortgages, and bad credit card bills.

□ 1530

We've seen what happens when our banking regulators are tasked with both consumer protection and bank safety and soundness responsibilities. The pro-bank, anti-consumer stance wins every time. That's why we created CFPB, to make sure the consumer voices aren't shouted down by the industry and that an independent agency is beholden to consumers and not CEOs.

A strong regulator, one which focused solely on consumer safety and championed simpler disclosure and products, could have prevented the current economic crisis and the ensuing foreclosures, bankruptcies, and defaults. Preventing the CFPB from doing its work, as this bill would, would only hurt America's consumers and turn our economy upside down. I oppose this bill.

Mr. Chairman and Members, it is evident what was needed, and it is inconceivable that at this point in time we could have legislation that would undermine the good work of the conference committee of the Dodd-Frank legislation that is in the best interest of all Americans, all consumers.

I ask for a ''no'' vote on this bill.

Mrs. CAPITO. Mr. Chairman, I would like to yield 6 minutes to the chairman of the full committee, the gentleman from Alabama (Mr. BACHUS), and I thank him for his leadership on this bill and many others.

Mr. BACHUS. Mr. Chairman, what is this awful thing that Republicans are bringing before the Congress today? This monstrosity, the Democrats have called it, is an attack on consumers. Well, it is a proposal that was first brought to us by our Democratic colleagues, and that was to have a bipartisan commission to protect consumers. That is what we're being attacked for today, a five-member board.

Now, all of us in this body are for consumer protection. Our voters, our constituents are all consumers, and we're all for protecting them. We're also for protecting our financial institutions and our economy. And we need a balance. So how do we achieve that?

Well, the Democrats, Elizabeth Warren, who is the originator of this consumer protection commission, back in 2007 proposed a Consumer Protection Product Safety Commission. In 2008, the Consumer Federation of America proposed a financial product safety commission. Senator DICK DURBIN, acting on their recommendations, introduced, in 2009, a consumer protection commission with a director and a board.

Then the then-chairman of the committee, in July of that year, introduced a bill, a five-member board. The Energy and Commerce Commission followed that a few months later with what? A five-member commission.

Then Senator Dodd issued his draft discussion. What did he propose? A five-member commission because it needed to be bipartisan, it needed to be balanced.

But what was passed out of this body, really, after three nights of amendments and sessions that went all day? Well, what came about was an unaccountable czar—one person. The Dodd-Frank bill put a single Director in charge, and it gave him unmitigated discretion to issue rules, to ban financial products, to determine what products would be offered. Whether you're a borrower, whether you're a lender, whether you're a consumer of financial services, or whether you offer financial services, he will determine or she will determine what those services will be and the terms of those services.

So what is wrong with that? Well, let me say this: In America, do we give one person the power to do whatever they want to regulate every product and service that we are offered or that we can accept or that we, as a company, can offer? That sounds to me like a government command and control economy with the government making choices that we make. So for that reason, we've been attacked for proposing a five-member bipartisan commission instead of an unaccountable czar.

The pattern from my Democratic colleagues continues to be: We're going to put one person in charge of an agency and we're going to let them make all of the decisions, and that way there will be no real review of those decisions. People can either take it or leave it. It's up to the government. The government controls everything.

Well, Mr. Chairman, I wouldn't want George Washington, I wouldn't want Abraham Lincoln, I wouldn't want Mother Teresa to have that kind of power. That, to me, is not what a democracy is about. And if you look at the person, who is he appointed by? He's appointed by the President of the United States. There's no input from Congress. Not only can he determine all of these problems, but his funding, he doesn't have to come to the taxpayers or their representatives for funding. He doesn't have to come to the Congress to get funding. He's totally unaccountable.

Now, Mr. Chairman, how in the world is proposing for the Consumer Financial Protection Bureau the exact same model that the FDIC is set up with, the Federal Deposit Insurance Corporation, the Securities Exchange Commission—all of these are commissions. All of them are bipartisan. They basically ensure that no one political party, one agenda or one person, will make decisions for every American every day. But that's what has been created.

And the monster is not the bill that we bring forward. The monster is the bill that you've created. You took a good idea and you ruined it. You took a good idea that was all about consumer protection and you converted it into a one-man show where one person could control every financial product or every offering in America. It could ban any product. It could say to any American: You cannot enter into that financial agreement. It could say to every American: You can't make that financial decision.

And, Mr. Chairman, that is un-American.

Mr. FRANK of Massachusetts. I yield myself 2 minutes.

I am really appalled at the gentleman saying it's un-American. We ought to be able to disagree more civilly than that.

And the gentleman made a misstatement when he said we took a good idea and ruined it. If it was such a good idea, Mr. Chairman, I have to ask the gentleman why was he opposed to that good idea?

He's making a big deal of the fact that we switched our view after listening to people. After having hearings, we made a change. That's why we had hearings. And we decided after a lot of debate that the model of the control of the currency, a single individual appointed by the President, without being subject to appropriation, was a better model for the consumer agency. So does Elizabeth Warren. So does everybody else who supported it.

The gentleman from Alabama said, That was a good idea and you ruined it. But the gentleman from Alabama was opposed to it when it was a good idea. The gentleman from Alabama was, all of the last 2 years, opposed to the notion of an independent consumer agency.

So he makes a point of stressing, yes, we decided after hearings that a single individual would be better than a commission. He said: How can you make such a change? Well, he made a change that dwarfed the trajectory of ours. He went from being opposed to it to now telling us retroactively that it was a good idea. But even then, today, on television, he said: We have concerns about an agency whose sole mission is to protect consumers unless they worry about the banks as well.

□ 1540

There's one other point I would make: There are three parts of the bill. He took the only one he thought he could defend to talk about because this bill would also put the bank regulators back in charge, and it would say that the part of the bill that would give us powers over the nonbanks, over the payday lenders and the mortgage lenders, which their bill retards, he didn't talk about that. So I will admire his discretion.

Of the three parts of his bill, he only talked about one. He didn't talk about putting the bank regulators, who he said are there to serve the banks, back in charge and allowing them to veto the consumer agency; and he didn't talk about their proposal to postpone until we get a Senate confirmation, which the Senate minority said they wouldn't allow to happen. They will filibuster, so it will postpone the new powers.

I reserve the balance of my time.

Mrs. CAPITO. I yield 30 seconds to the gentleman from Alabama (Mr. BACHUS), the chairman of the committee.

Mr. BACHUS. Mr. Chairman, I never voted for a stand-alone consumer protection financial bill and I never voted against it because it was never offered. What was offered was a 2,400-page extravaganza which hires about 10,000 new Federal employees to enforce rules that weren't enforced in the first place. And I have consistently said let's enforce the rules we have and not just hire more regulators and create more rules.

As you know, we offered a bill which did have several protections.

Mr. FRANK of Massachusetts. I yield myself 30 seconds to correct the latest misstatement.

The gentleman from Alabama did, in fact, vote against this. This wasn't just voted on in the final. He appears to have forgotten, we had a markup in committee just on this bill, and the gentleman from Alabama voted against a free-standing consumer agency, whether it had five members or not.

So he said it was a good idea which we ruined, but he voted against it. He did vote against the individual one. And the Republicans offered a substitute, which took 14 officials, made them a council, gave them the power to run a hotline, and said, if anything came in over the hotline, they'd send it back to those bank regulators, who he says are there to serve the banks, and they would be the ones to deal with it.

I now yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

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

Mr. HOYER. I thank the ranking member for yielding.

Mr. Chairman, we are still feeling the effects of a crisis that largely came about because the referees who oversee the soundness of our financial system were not on the field. We took the referees off the field. As a result, millions of Americans are still out of work. But while Democrats have worked to restore proper oversight to Wall Street, Republicans want the referees off the field again, and that would put us all at risk. This legislation puts the special interests ahead of the public interests by weakening the very entity that shields responsible consumers from financial abuses.

Last year, Congress passed an important Wall Street reform bill in order to prevent a job-destroying financial crisis from happening again. And one of the most crucial parts of that bill was the creation of a new Consumer Financial Protection Bureau, a watchdog, a watchdog that would look out for the interests of ordinary Americans who want to sign mortgages, apply for student loans, and start businesses on honest and fair terms.

The Consumer Financial Protection Bureau is empowered to ensure that lenders provide clear, plain-language explanations of loan terms and to help stop the kind of abusive and deceptive loan practices that helped drive our economy off a cliff. If such protections had been in place in the last decade, the odds of a crisis occurring would have been significantly less.

And I want to tell my friend from Alabama, he said that there was no congressional involvement. In fact, of course, the President does appoint, but it is with the advice and consent of the Senate so that the entire Senate, as is normal, is involved in this appointment.

The Republican legislation that we have on the floor today would make it much easier to overturn these consumer protection rules. It would make the people's watchdog far weaker at a time when they are needed more than ever. This legislation is part of the Republicans' stated goal to dismantle Wall Street reform, protecting special interests but leaving Americans unprotected from another crisis.

Removing America's defenses when we have not even fully recovered from the last crisis is a new level, in my view, of irresponsibility. I urge my colleagues, think of what we have been through; think of our responsibility to make sure it doesn't happen again; think of our responsibility to make clear that the interests of your constituents come first, and vote this bill down.

Mrs. CAPITO. I yield myself such time as I may consume.

Mr. Chairman, I really am just amazed at the hyperbole of the dismantling and the ruining of the agency and the weakening of the agency. The Bureau will go forward with all of the consumer protections that it's empowered with in the Dodd-Frank bill. The original intent was a commission. We go back to a commission.

Let me just tell you, the President has had an entire year to nominate this very important person to lead this Bureau, and it wasn't until the beginning of this week, Monday, did he finally get around to it. What kind of signal does that send? At least to me, it sends a signal that it really isn't all that important to have that person there Senate-confirmed, as the minority leader said, with the oversight of the United States Senate.

And let's talk about the Financial Services Oversight Commission. There are 10 people on there. I am going to go through them quickly because I don't want to use too much time.

Secretary of the Treasury, he's confirmed; Chairman of the Federal Reserve, Bernanke, he's confirmed; Director of the CFPB, somebody was nominated 4 days ago, empty; Chairman of the FDIC, Acting Director, a nomination, but nobody confirmed; Controller of the Currency, Acting Director, no one confirmed; Chairman of the NCUA, confirmed; Chairman of the SEC, confirmed; Chairman of the CFTC, confirmed; Director of the FHFA, Acting Director, no nominee; and he just nominated the insurance specialist. Five of the people on this 10-person commission are not even permanently——

Mr. FRANK of Massachusetts. Will the gentlewoman yield?

Mrs. CAPITO. No, I will not.

So I say to myself, what kind of priority is this administration putting on this marquis part of the Dodd-Frank bill?

I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), our vice chair.

Mr. HENSARLING. I thank the gentlewoman for yielding. I thank her for her leadership on this issue.

Mr. Chairman, already we know that in America we are looking at 9.2 percent unemployment. Since the President told us if we would pass his stimulus plan, $1 trillion, unemployment would never go beyond 8 percent, and now he is presiding over the longest period of high unemployment since the Great Depression. We just got the statistics since they've been keeping them. It now takes almost 10 full months for somebody unemployed to find a job. One in seven are on food stamps. The fewest new business starts in 17 years.

This economy is not suffering so much from a lack of capital; it is a lack of confidence, and a lack of confidence primarily in the policies of our President and the previous Congress. Part of that lack of confidence is attributable to Dodd-Frank and this CFPB which, yes, does have some wonderful consumer protection powers but also has historic draconian powers to ration and ban consumer credit for families and small businesses.

Yet here it is, as the gentlelady from West Virginia, the subcommittee chairman, pointed out, almost a year later that only now has the President seen fit to appoint some type of Director.

The lack of confidence in these policies is what is keeping jobs and capital on the sideline. It is incumbent upon us to return that confidence.

So, yes, to my colleagues on the other side of the aisle, this is, yet again, another jobs bill. We need to say, You know what, small businesses in America? There is not going to be one czar who controls consumer credit. We're at least going to have a panel representing both primary parties in the United States.

□ 1550

And, by the way, at least now somebody will have to consider safety and soundness in what this bureau does. I mean, the people who are telling us don't worry about it are the very same people who told us don't worry about safety and soundness when it comes to Fannie and Freddie. Come on. It's all about consumers. It's all about homeownership. Let's roll the dice. Don't worry about safety and soundness.

Well, Mr. Chairman, we have to worry about safety and soundness. American small businesses are worried about safety and soundness. It is time to bring some confidence. It is time to bring some certainty so that we can get our friends, our neighbors and our constituents back to work, because they don't want welfare checks; they want paychecks. And this is one small step we can take today to provide that certainty.

Mr. FRANK of Massachusetts. I yield myself 15 seconds to say the gentleman from Texas talked about Fannie Mae and Freddie Mac, but he doesn't do anything about it. The majority has been the majority since January.

The gentleman from Texas filed a big, tough bill about Fannie Mae and Freddie Mac a year ago. He has sat sweetly and quietly by while his majority has ignored it and taken no action on it. The Republicans always talk tough about Fannie Mae and Freddie Mac when they're in the minority, and then they get in the majority and they choke.

I now yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH), a leader in fighting, in particular, against speculation and the abuse of derivatives.

Mr. LYNCH. I want to thank the gentleman for yielding and for his advocacy on behalf of the American consumer.

The Dodd-Frank Act created the Consumer Financial Protection Bureau with the sole purpose of ensuring that financial markets work for, and not against, American families. It established a single director empowered with a singular mandate which is simply to protect the consumer.

This bill, H.R. 1315, seeks to weaken the CFPB on the day it opens its doors for the first time in two important ways. First, it would make it more difficult for the Consumer Protection Bureau to act by replacing the director with a five-member commission.

As has been shown, a single director with executive authority and who is directly responsible to the American consumer is better suited to act quickly to address problems in the consumer financial markets, and he or she will be directly accountable to Congress for the bureau's actions.

On the other hand, a five-member commission creates another bureaucracy that would be both less effective and less accountable to consumers. A five-member commission would also, in this case, cost taxpayers an additional $71 million.

To offset the cost of these commissioners and their staffs, we're being asked to use the money from a Federal Housing Administration program created to help responsible Americans who have continued to make mortgage payments refinance their underwater homes. According to Mark Flemming, the chief economist for the property research company CoreLogic, underwater mortgages are a primary factor holding

back the housing market and the economy as a whole.

So instead of working to solve this problem and boost our economy, our colleagues on the other side of the aisle have decided that our money is better spent unnecessarily expanding the bureaucracy at the CFPB.

H.R. 1315 would also make it much easier for the same regulators who in many cases were captured by the industry that they oversee and who fell down on the job in the lead-up to the financial crisis, to now overrule the CFPB. These regulators proved that they were not capable of ensuring the soundness of the financial system while simultaneously protecting American consumers.

I urge my colleagues to oppose this bill.

Mrs. CAPITO. I yield 1½ minutes to the gentlewoman from Illinois (Mrs. BIGGERT), a leader on our Financial Services Committee and chairman of the Insurance, Housing and Community Opportunity Subcommittee.

Mrs. BIGGERT. Mr. Chairman, I rise in support of H.R. 1315, which would prevent the most visible legacy of the Dodd-Frank Act from also becoming the most costly and regrettable.

Today's legislation will provide the new agency with accountable leadership, proper oversight, and a much needed check against bad decisions. American consumers don't need more bureaucracy to stifle innovation and raise costs. We need regulators to understand that the job isn't just to layer on expensive new rules. It's about educating consumers and preserving a vibrant and competitive financial market that provides affordable and innovative options.

Unfortunately, the current structure of the bureau is subject to virtually no oversight from Congress or anyone else. And unlike other agencies, even the Consumer Product Safety Commission on which it is modeled, it is led by a single czar who has unprecedented power.

Even more dangerous, the Financial Stability Oversight Council must agree by a two-thirds majority before they can overturn a rule imposed by the CFPB, even if that rule threatens to imperil our economy or shut down a financial institution.

Mr. Chairman, our commonsense reform adds a few more voices to a panel that is supposed to protect all consumers, not just those favored by the political powers that be, and it creates a reasonable process to overturn bad or inconsistent decisions.

Mr. Chairman, these reforms will help protect consumers and ensure that the government doesn't stand in their way.

Mr. FRANK of Massachusetts. Mr. Chairman, I am very pleased to be joined by so many leaders on the Financial Services Committee.

I now yield 3 minutes to one of them, the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, let me say at the outset that I was a strong supporter in our committee for the creation of the Consumer Financial Protection Bureau and remained a strong supporter of the bureau and its mission. The reason I did that was because all of these regulators had within their authority a consumer protection initiative. Unfortunately, that consumer protection obligation was subordinate to other obligations that each of the regulators had.

So when we started talking about this, I kept saying to them, look, we need a consumer regulator that has as much authority as and the least cumbersomeness of any of the other regulators. So if you're going to create a Consumer Financial Protection Bureau, don't give the other regulators authority to reverse them unless you give the Consumer Financial Protection Bureau the authority to reverse the other regulators. Now, if you think that's fair, do it both ways.

This is the only agency that ended up with the other regulators, the Federal Reserve, the OCC, the FDIC, having the authority to reverse them; and we were able to restrict it to things that were in their jurisdiction. If it was a systemic risk that the Consumer Financial Protection Bureau was creating by promulgating a rule or regulation, then we thought it was fair to have them police what the Consumer Financial Protection Bureau was doing.

But I don't know of any reason that we would create a child of an agency to deal with consumer protection when we don't have a child of an agency dealing with other aspects of the regulation in our financial services industry.

So for me, this is just about parity. Give this agency equal authority and oomph as the other agencies had. And we are not asking that the Consumer Financial Protection Bureau be able to overrule the Federal Reserve when it makes a decision. We're not asking that the Consumer Financial Protection Bureau be able to overrule the OCC when it makes a determination. Neither should we be allowing those other agencies, the FDIC, the OCC, the Federal Reserve, to overrule the Consumer Financial Protection Bureau when they are not acting within their authority.

□ 1600

Mrs. CAPITO. Mr. Chairman, I yield 5 minutes to the author of the bill, the gentleman from Wisconsin (Mr. DUFFY), and I thank him for his hard work on this issue.

Mr. DUFFY. I want to take a moment and thank Chairman BACHUS and Chairwoman CAPITO for their hard work on this legislation and for their drive to make sure that this bill came to the floor today.

All of us in this House agree that we want consumer protections, where any one of our friends or family members, our neighbors and our constituents, when they deal with a financial institution, they are dealt with in a fair way and in a transparent way. Our reform here to the CFPB does exactly that; it advances that very same cause.

I want to talk about a couple of the components of this bill. One is we are moving this from a director to a bipartisan commission. I think it's important to note that my friends on the other side of the aisle, when they first crafted this bill, the ranking member, they included a bipartisan commission. And the President, when he talked about this bill, he was in favor of a bipartisan commission. And now all of a sudden today, as we have brought this back up, they are now opposed to a bipartisan commission.

I think it's important that we note that today you may have a Democrat President and you might like the recommendation for the Director of the CFPB, but if I'm going to project in the future, I am one to guess that I bet at one point in our future there will be a Republican President, and you may not like his appointee.

Let's come together. Let's not regret this moment. Let's come together and make sure we have a bipartisan commission that is going to work on behalf of consumers, because this isn't a Republican or Democrat issue, it is truly an American issue that should be dealt with on a commission level.

One other key component of our legislation is the review standard of rules that come from the CFPB. The way it is set up right now, the only way a rule can be overturned is if we are going to have Armageddon in the financial industry. And so the only one that can have a rule overturned is a big bank on Wall Street, one who is too big to fail.

The way it is currently written, you have given a voice to those people who helped cause this financial crisis. You know what? I'm not from Wall Street, I am from small town, rural Wisconsin. We don't have big Wall Street banks, we have small community banks and we have credit unions. The way the current bill is written—not mine, the one that's in existence today, the current law—it doesn't give a voice to the people in my community if a rule that comes out from the CFPB is going to affect them negatively.

And you know what? On Main Street, the very people who had nothing to do with the financial crisis, who haven't been given a voice—but will if my bill passes—those are the people who deal with our small business owners, with our family members, people who are looking at expanding their business, growing their business, creating jobs in our community. They rely on community banks and credit unions for loans, and they don't have a voice. I don't understand that. And then the same people that we look to when we want a mortgage for our home or we want a car loan, it's these people we look to, and they have been left voiceless in the current law. But my bill gives a voice to Main Street America. I have to say, the point I don't think can be made

clearer with those who support my bill. I don't have big Wall Street support for my bill, but I'll tell you what support I do have. I have the Community Bankers of Wisconsin, I have the Wisconsin Bankers Association, I have the Independent Community Bankers of America, American Bankers Association, I have the Consumer Bankers Association. All those who are about small community banks that deal with customers support this reform.

We go a step further. We have the Wisconsin Credit Union League, the Credit Union National Association, and the National Association of Credit Unions, all people who didn't have any role in this financial crisis, all people in our communities who are looking out for consumers because if they don't, they don't survive in small town America, and they all support this reform legislation.

I would encourage all of my colleagues to jump onboard and support commonsense reform that is going to strengthen consumer protection and provide great oversight for a very powerful agency, and it's going to hold it accountable.

Mr. FRANK of Massachusetts. I yield myself 30 seconds to say, first of all, the gentleman made one more flat misstatement when he talked about car loans. Car loans are exempted from this. This is an example of the failure to understand what we're really talking about.

Secondly, he does have Wall Street support for this bill. I think he mentioned the American Bankers Association. And this notion that the community banks aren't involved is just nonsense. As a matter of fact, the community banks are favored here because the Consumer Bureau is given the right to examine banks of $10 billion in assets or more, but it cannot examine the credit unions and the community banks. So that was a recognition that he ignores.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. MILLER), who has been a leader in trying to fight for decent mortgages.

Mr. MILLER of North Carolina. I also disagree with the gentleman who just spoke. The reason that all of the Republicans want to talk about whether the commission ought to be five members on a commission or one director is that's the only part of the bill that really can be argued one way or the other. I mean, there are arguments one way or the other. I think it will be a much stronger agency if there is one director, but everything else in the bill really cripples this agency before it can even take hold.

And I also disagree with the argument that everybody here wants to protect consumers. No, they do not. We saw what happened in the last decade, we know who was doing it. It was the most powerful industry in America, and they were making a ton of money by cheating consumers, cheating consumers on credit cards, cheating consumers on mortgages, cheating consumers on overdraft fees, and on and on. And we've heard the same arguments about this that we heard a century ago. A century ago, when Theodore Roosevelt pushed for pure food laws, the meat packers said, do you want government to take away your right to buy meat? Do you want government to take away your freedom to buy beef from diseased animals or spoiled beef? And the American people said yeah, that's exactly what we want. We want to know what we're getting. And Americans want to know what they're getting in financial products too.

Do they want to lose the freedom to get a subprime loan when they qualify for a prime loan? Yes, they do. Do they want to have a credit card, to know what they are getting in a credit card? Yes, they do. Do they want to know what's really in their overdraft fees? Yes, they do. They want to know that there is somebody with their interests at heart who is reading all that fine print that the banks' lawyers wrote to be good for the banks, profitable for the banks, and let the consumer have no idea what's in that little print in the legalese. Yes, they want someone, a strong agency reading that fine print with their interests at heart and saying, no, you can't do that; you can't cheat consumers that way. That's what this agency does, and the American people want it.

Mrs. CAPITO. Mr. Chairman, may I inquire as to the time remaining, please.

The Acting CHAIR (Mr. CONAWAY). The gentlewoman from West Virginia has 9½ minutes remaining, and the gentleman from Massachusetts has 13¾ minutes remaining.

Mrs. CAPITO. I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 30 seconds first to say that I am sorry the gentlewoman from West Virginia wouldn't yield to me, but there was a lot of talk about switching positions. The gentlewoman from West Virginia, along with every other Republican then on the committee, voted against this. She now says she wants it to go forward. So I will take ''yes'' for an answer. I am glad that my Republican colleagues, having opposed an independent consumer agency, I think maybe for tactical purposes, but for whatever, are now all for it. So as we go forward, I will accept their conversion.

I now yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. First of all, I want to thank the gentleman from Massachusetts for all he has gone through in the last couple of years so that people understand that we do need some regulation.

□ 1610

Now today, my friends on the other side—and I mean that—the stock market hit its highest point since 2008. Isn't that wonderful? And yet we are at 9.2 percent unemployment.

Well, I looked at the Treasuries. They're doing very fine. They're doing well. But Main Street isn't; and that's what consumer protection is all about, Main Street. No question about it.

We don't want to go back. We don't want to go back to 2007 and 2008. Why? Because the conditions that led to the mess we have now, we don't want those conditions to exist now, and that's what we've been trying to correct, particularly over the last 2 years.

Now, here's the consensus, whether you are a European financial person or someone in the United States, here's the consensus: Dodd-Frank puts us more on a level playing field with regard to capital reserve, with regard to too big to fail. Regardless of what we are talking about, we are oceans ahead of our European partners and our allies in addressing these issues because we're addressing the causes of the financial meltdown in the United States and in foreign allies.

And if it wasn't for the gentleman from Massachusetts, and the gentleman from Connecticut at the other end of the building, we wouldn't be where we are today, and we'd be saying: Let's go back; we want things to be like they were in 2007 and 2008. Well, things were not good.

The Acting CHAIR. The time of the gentleman has expired.

Mr. FRANK of Massachusetts. I yield the gentleman an additional 30 seconds.

Mr. PASCRELL. In a book by James Stewart, ''How False Statements Are Undermining America,'' he zeroes in on the Madoff situation which became a poster child. No one else has been really brought before us. No one else has really suffered for the pain they provided to the middle class and to Main Street people. We don't want to go back. We want different rules, and regulations do have a part in it. And the person who is struggling day in and day out needs our help.

They don't need it. It doesn't matter who the President nominated, you'll turn it down. It's this bureau you want to destroy, not the nominee.

Mrs. CAPITO. Mr. Chairman, I would like to say today is a nice day, but we have 9.2 percent unemployment. It is not a day that I want to keep repeating when there are so many people out of work.

Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. HURT), a member of the Financial Services Committee.

Mr. HURT. I thank the gentlelady for yielding.

Mr. Chairman, today I rise in support of H.R. 1315. A year ago today, the President signed the Dodd-Frank Act into law, a 2,300-page bill with 400 new regulatory mandates that have created an atmosphere of economic uncertainty that has stalled job growth in Virginia's Fifth District and across the country.

The centerpiece of this law was the formation of the Consumer Financial Protection Bureau, a massive government bureaucracy with unprecedented authority and little to no accountability.

H.R. 1315 will add much-needed oversight to this far-reaching new government agency. These checks and balances will help reform CFPB to protect small community banks and credit unions, like those in central and southside Virginia, from unnecessary and excessive government regulations. These community financial institutions play a critical role in providing capital to our small businesses and families as we all work to get our economy back on track.

At a time when far too many Fifth District Virginians and Americans remain out of work, we must continue to support policies that will help restore certainty to the marketplace, grow the economy, and create jobs. I urge the body to pass this bill.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), the former chair and now ranking member of the Small Business Committee, and she is the best protector of small businesses in the Congress.

Ms. VELÁZQUEZ. I thank Ranking Member FRANK for his commitment and balanced approach to protect consumers in this country.

Mr. Chairman, I rise in strong opposition to H.R. 1315.

My first question is: Do my colleagues on the other side of the aisle really have that short a memory? It was just 3 years ago when regulator indifference resulted in the single largest loss of middle class prosperity in this Nation's history, costing over $3 trillion in this country. In fact, we have spent the last month debating the need to raise the debt ceiling not because of the war in Iraq, not the stimulus plan, but because of the massive bailout needed as a result of regulators turning a blind eye to unfair and unsafe lending practices.

You can go to any community in any part of this country and see the collateral damage resulting from Wall Street playing fast and loose under the disinterested watch of Federal regulation. In Brooklyn, one in eight mortgages is in serious delinquency or foreclosure. It was this type of dire situation that our working families were left with that necessitated, demanded that we act and create the CFPB. By consolidating all financial protection within the umbrella of CFPB, every American is given the peace of mind that someone is watching out for their interests, not some financial institution's bottom line.

Unfortunately, the legislation before us today will create a completely unmanageable regulatory process, once again leaving the average American in financial limbo. I am not willing to go back to those days and neither are the 200,000 seniors in New York City who will be without protections should this legislation pass.

Vote ''no'' on this bill. Let's not allow the very regulator that stood by and did nothing, while trillions were stolen from Americans, do nothing again.

Mrs. CAPITO. Mr. Chairman, I would like to remind the other side that we're not changing, taking any powers away from the CFPB. We're not reforming any of the reach of the CFPB. We are simply looking at the accountability structure of who is going to be governing the CFPB.

The gentlewoman from New York was very helpful in committee when we amended the commission to have one commissioner particularly looking at specialty issues concerning veterans and elderly and children, and I thank her for her input on that.

I yield 1½ minutes to the gentleman from New York (Mr. GRIMM), a great member of our committee.

Mr. GRIMM. I thank the gentlewoman for yielding.

Mr. Chairman, I am almost at a loss for words when I hear that we are taking away the protections for our seniors, and we're weakening this and we're weakening that. This is simply a commonsense approach to reforming the CFPB and correcting the bureaucratic overreach of Dodd-Frank.

Specifically, this bill, very, very simply, replaces a single director model with a five-member bipartisan commission. A bipartisan commission, that's what this bill is doing. A commission has several advantages over a single director. For example, a commission will drastically decrease uncertainty over the rules issued by the CFPB. As the bureau is currently structured, a new director can unilaterally reverse the decisions of his or her predecessors. Such dictatorial power will do nothing but increase uncertainty in our markets, reduce credit access to businesses and consumers; and that stifles job growth.

Today, we have unemployment at 9.2 percent. We must stop the job-killing, economy-crushing policies that have come out of Washington, and that's why I urge my colleagues to support H.R. 1315.

Mr. FRANK of Massachusetts. First, I yield myself 30 seconds to say I understand many of the Republicans objected to the financial reform bill because it was too long; but apparently even a much shorter bill was too long for the gentleman from New York. He got up to talk about this bill and then mentioned one-third of it. That is only one-third of the bill which he talks about as if it is the whole bill. It goes forward to give the bank regulators the power to overturn the Consumer Bureau. It delays the takeover of some of the powers. So when a Member can't get through a 4- or 5-page bill, I understand why they are confused by something that is more complex.

I now yield 2 minutes to the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. I thank the gentleman from Massachusetts for yielding and for his leadership on this issue.

Mr. Chairman, imagine a wave of arson attacks was burning down houses and businesses across the city. And then imagine if the city council responded by trying to delay and water down new laws making arson a crime, refused to appoint a police and fire chief, and gutted funding for public safety. Well, I know that sounds far-fetched, but that's exactly what the Republican majority is doing in the aftermath of the 2008 financial crisis.

It was everyday American consumers who suffered most from the financial crisis through job losses, foreclosures, declining home values, and decimated retirement accounts. The Dodd-Frank Wall Street Reform and Consumer Protection Act was designed to address fundamental weaknesses in the financial regulations that keep our economy safe.

□ 1620

The centerpiece of this law is the Consumer Financial Protection Bureau, a new agency tasked with putting consumers first, not Wall Street or other special interests.

The bills we are debating today are part of a coordinated effort by the Republicans to let Wall Street go back to business as usual. They have been trying to delay the implementation of these new rules. They have been gutting funding for the agencies that are supposed to be the cops on the Wall Street beat. And they are refusing to allow qualified nominees to even be considered for appointments.

This bill is called the Consumer Financial Protection Bureau Improvement Act, but it has nothing to do with improving the agency. This bill would make it easier for special interests to block or delay CFPB rules. The American people are sick and tired of gridlock; yet this bill only offers more of the same.

In the example of the fires breaking out across town, ask yourself, Mr. Chairman, who would you blame after the next building burned? Would it be the understaffed police who failed to catch the arsonist or the ill-equipped firefighters who failed to put out the fire? Or would the responsibility lie with the politicians who failed to give them the tools that they need in order to do their jobs?

I urge my colleagues to stand with consumers and oppose this legislation. We need to make sure the law takes effect and keep fighting to implement the reforms needed.

Mrs. CAPITO. I yield 2 minutes to a member of our committee and chairman of the Capital Markets Subcommittee, the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT. I congratulate the chairman of the full committee, the chairman of the subcommittee, and the gentleman from Wisconsin for the good work done on, really, a commonsense piece of legislation before us.

Earlier, I heard the ranking member from Massachusetts comment about the partisanship here. He said something like, well, we didn't make this partisan; they did it. Well, I remind the chairman that his underlying piece of legislation, the Dodd-Frank piece of legislation, actually had more Democrats vote against it than it had Republicans for it. And he was the one that actually pushed through a bill in an extremely partisan manner, and that's really why we're here today.

I believe that the agency we're talking about, the CFPB, is really a one-stop shop to basically allocate credit and give the government the power to direct and control the economy. At the same time they're talking about consumer protection, what are they doing? They're separating safety and soundness from it. How can you have consumer protection when you're separating safety and soundness?

I also remind the ranking member, who originally was the sponsor of Dodd-Frank—the bill that has his name on it, that bill that is going to destroy so many jobs in this country as pointed out once before—that he was in favor of the same type of legislation that we have before us today on the floor. So, basically, this is once again a case of where the ranking member was in favor of it before he was against it. So operating under that logic we are hearing from the other side, if the bill today weakens the agency, then the bill that the gentleman introduced originally would actually destroy the agency.

Now, I've heard the ranking member during his debates do what he always does when he doesn't have the facts or the law on his side: He attacks and he twists other people's motives. He knows that he was essentially supportive of the elements of this bill today by offering these provisions himself before to get through the House, but today he comes out against it. Basically, he accuses everyone on our side of the aisle of trying to kill his legislation.

But I remind him to consider his own statements. The ranking member has claimed over this past week that the most important piece of the Dodd-Frank bill is the risk retention section of the legislation.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. CAPITO. I yield the gentleman 30 additional seconds.

Mr. GARRETT. So he says on the one hand that the risk retention is most important; then he turns around and says that any loans with 4 percent down payment should be exempt from risk retention. I don't know very many loans that are at that level. So I find it surprising that he is attempting to exempt everyone from what he claims is the most important portion of his bill instead of accusing everyone else of attempting to destroy this job-destroying bill.

Mr. Chairman, I would ask that the gentleman from Massachusetts think before he speaks on the legislation and then come out in support of the same legislation that he once supported in the past.

Mr. FRANK of Massachusetts. How much time is remaining, Mr. Chairman?

The Acting CHAIR. The gentlewoman from West Virginia has 4 minutes remaining. The gentleman from Massachusetts has 5¾ minutes remaining.

Mr. FRANK of Massachusetts. First, the gentleman from New Jersey more consistently misstates things that I said. I suppose it's kind of flattering that he hangs on my every word. I just wish he didn't hang askew on my every word. He said I should be supporting this legislation. In fact, the gentleman from Alabama said it. Once again, listen to what they say on the other side.

This has three pieces. It has a single member versus a commission. More importantly, it increases the ability of the other bank regulators who have an historic terrible record of consumer protection and who the chairman of the committee, Mr. BACHUS, says are there to serve the banks. It would put them in a better position to cancel the work of the CFPB. The gentleman from New Jersey said I've supported this. I've never supported anything remotely like that. The gentleman from New Jersey knows that. I have no idea why he would do that, except for this. And yes, I will impute some motive.

Of the three parts of the bill, the only one that they think won't be very unpopular is the one about a single director versus a commission. But, again, the gentleman said, oh, I misstated that or that I was in favor of something last year. No, I was never in favor of those parts of the bill.

By the way, as to the risk retention, I did say you could get the 4 percent if you also had a very good debt-to-income ratio and loan-to-value ratio.

So the pattern of misstatements of what I said, it's flattering that the gentleman is so interested in what I say. I did not ever support putting the bank regulators back in charge. In fact, I will say this about the gentleman from New Jersey. He's more clear about what he really believes.

Again, I hope the gentlewoman from West Virginia, when she closes, will tell us. She voted against this last year. She now says, oh, we're not trying to undo it. Well, has she switched her position?

The gentleman from New Jersey was very clear. He doesn't really like this, and he voted against it and he would abolish the whole thing. That's what we are saying, that people who voted against it last year. He says we made it partisan. No. When the vote came up on this, they all voted against it. I wish that wasn't the case, but they had voted against it because they didn't want an independent consumer agency. The chairman of the committee said it again today on television: We don't worry about the FDIC or the Federal Reserve. We worry about an agency whose sole mission is to protect the consumer without worrying about how the banks work.

And then we had the performance by the gentleman from Wisconsin, again, talking only about one part of it and claiming, oddly it seemed to me, that this somehow hurts the small banks versus the bigger banks. In fact, the small banks are given preference with regard to who gets examined.

And in terms of the ability to overturn rules, no, it's not simply—and this is one of the things some people may misunderstand. Things that threaten the system might be the action of one particular entity like AIG, but they could also be a pattern like subprime loans, particularly subprime loans issued by nonbanks. This bill regulates, for the first time, those nonbanks.

So let's go back over this. Ms. Warren came up with this. And I do want to address the single member versus commissioners.

The one issue they have found, it was originally proposed by Ms. Warren, and I introduced the administration's bill to make it a commission. We had hearings. We had conversations. Every single consumer group that we dealt with—and the gentleman from Wisconsin mentioned all his supporters. There wasn't a single consumer group there. The AARP just came out against their bill, as have all of the consumer groups—the Consumer Federation, et cetera. They persuaded me that a single member would be better than a commission. I acknowledge we had hearings. I listened to people who were for it.

So here's the debate. We have everybody who voted against establishing this in the first place, who are against it in principle, who think we should leave it to the bank regulators, they want a commission. We have everybody who supports the entity as an independent consumer protector, therefore, a single member. I listened. I was persuaded. So, yes, I will acknowledge having changed my position based on the evidence.

I will repudiate, once again, the gentleman's inaccurate suggestion that I was for the other parts of this. No, I was not. I think putting the majority of the bank regulators able to overrule virtually anything doesn't work.

And the proof of that? The Republicans offered their own version last year, the gentlewoman from Illinois (Mrs. BIGGERT). It created a 14-member council, Secretary of the Treasury, Secretary of Defense, a bunch of others, and they were empowered to set up a hotline. If they got things from the hotline or the Web site that were complaints about the banks, what did they do with them? They sent them to the very financial regulators who have failed to do things in the past.

□ 1630

That's where we are. That's what they preferred. They opposed then, and I believe continue to oppose, an independent regulator whose primary role is the consumer.

As the gentleman from North Carolina pointed out, they want to give the FDIC and the other bank regulators the ability to cancel what the consumer regulator does, but it's not reciprocal. If the consumer regulator thinks that the bank regulators have been too lax in not protecting consumers in what they still have, that's not reciprocal. It is very clear. They have never liked consumer protection.

Finally, Mr. Chairman, I want to say that they do the banks a disservice. I stress again that the banks were not the problems here, particularly the community banks and the credit unions. They apparently think that if banks have to protect consumers, they will fail. That's unfair to the banks.

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

Mrs. CAPITO. Mr. Chairman, I would like to make a few points in closing.

First of all, I want everyone to understand that nothing in this package weakens or changes the ability of the CFPB to make rules and regulations for consumer protection.

Now, the ranking member was criticizing me for trying to change something that I didn't support. Well, guess what: I'm a realist. This is law, this is now a part of our government, and my chore is to try to make it better. If I wanted to get rid of it, I'd be sitting here arguing for a bill that totally dismantled the entire Bureau, but I'm not doing that and neither are my colleagues, because we accept the reality that the Bureau is going to exist, and we want to see it exist in the best form. That's why we're trying to make changes to it.

We can argue back and forth about whether a commission or an individual director is better or not. We believe a commission is better. Their original bill stated that. There are others on the other side of this building who believe that to be true as well, to mirror some of the other regulatory bodies that we have in the financial arena and other arenas.

I find it a little bit amusing that the ranking member keeps saying, well, you're only talking about one section. So let's talk about the other section, the ability to overturn a rule that's been promulgated by the director of the CFPB. He says we're trying to make it so that those rules can be overturned. Well, guess what: His bill makes you able to overturn the rules. He voted ''yes'' on that and so did everybody else who voted for this bill. So the concept of overturning a rule and a regulation is reality. It's already in the bill. We're simply saying, if you're going to have a rule that says you can overturn a rule and a regulation, or a law that says that, let's make it workable. Their standard is the whole safety and soundness of the entire financial system. Please. What rule could possibly do that? I'm sure there's one out there, but I'm not sure what it is. We've got to get over some of the overexaggerations of what we're trying to do here today.

The last part of the bill is actually my bill, and that is saying that I don't think that we should be turning over the reins of the CFPB to a single person. Number one, I don't agree with that. But if I accept reality—remember, I said I'm accepting reality—if it is one person, like it's written, then let's make sure that the intent of that is a Senate-confirmed person. That's the way it's written in the law. It's a Senate confirmation. I'm saying in my part of the bill, I don't like the fact that we're going to throw everything into this Bureau and have somebody who's not been confirmed overlook this, and then we don't have the oversight that we have as Members of this Congress.

Those are the three sections of this bill. None of the provisions that we're talking about destroys consumers' ability to be looked after by this Bureau. None of this bill undoes any of the bureau's ability to undo deceptive and abusive practices. We certainly think that that's a laudable goal. We don't like the way it's maybe been constructed, but we lost that fight. The reality is this Bureau is here, and so let's make it better. Let's make it better for the consumers, because this is who we're talking about.

I've had strings of people in my district, before our committee, saying, we can't hire people because there's too much uncertainty. There's a regulatory structure here in the financial institutions that we don't understand, we don't understand what it is, we don't understand what it's going to mean, and it's constraining our ability to help small business owners, and that's constraining our ability to grow jobs in this country.

That's what we're talking about today. We're talking about getting back up on our feet, weeding through this bureaucracy, and making sure that the financial institutions that are the heart and soul of this country can grow the jobs, grow the economy, and get people back to work.

Mr. BLUMENAUER. Mr. Chair, I strongly oppose H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011. This bill is merely the latest attempt by my Republican colleagues to undermine American families and consumers, joining a distressing series of efforts including stripping health insurance from children, ending Medicare, and removing protections for clean air and clean water. Congress has been in session for nearly 200 days this year and Republicans have so far failed to enact any legislation that would create jobs in America.

A year ago today, I rose in support of the Dodd-Frank Wall Street Reform and Consumer Protection Act, to end taxpayer bailouts of big banks, to improve consumer protections, and to strengthen the rules governing the financial sector. Among the most important of these protections was the creation of the Consumer Financial Protection Bureau (CFPB), whose purpose is to protect consumers from the worst abuses of the financial industry. Today, on the one year anniversary of its enactment, my Republican colleagues are trying to defang this critical agency, putting the economy at risk of the very same practices that caused the financial crisis.

Under the Dodd-Frank Act, the CFPB is led by an independent director appointed by the President and confirmed by the Senate. It will write rules for consumer protections governing all financial institutions—banks and nonbanks—offering consumer financial services or products and oversee the enforcement of federal laws intended to ensure the fair, equitable, and nondiscriminatory access to credit for individuals and communities. The CFPB will unify responsibilities that, prior to its creation, were spread across seven different government entities, providing consumers with an accountable and powerful advocate.

H.R. 1315 seriously weakens the CFPB and the protections it provides for our families. Some of my specific concerns include:

The legislation requires a director be in place before the CFPB can take any action. With Republican Senators committed to filibustering any nominee to head the new agency, this requirement effectively stops any action the CFPB might take, putting the financial security of families at risk;

The legislation seems motivated by a desire to deny the history of regulatory failure that contributed to the financial crisis, granting these same regulators the power to block CFPB rules; and

H.R. 1315 compromises the independence of the CFPB by expanding the Financial Stability Oversight Council's authority to set aside CFPB rules and regulations, significantly impeding the agency's ability to protect American consumers.

Professor Elizabeth Warren famously remarked that it is, ''impossible to buy a toaster that has a one-in-five chance of bursting into flames and burning down your house. But it is possible to refinance an existing home with a mortgage that has the same one-in-five chance of putting the family out on the street.'' H.R. 1315 badly undermines consumer protections and allows financial services companies to continue engaging in the abusive practices that put millions of families on the street and threatened the global financial system.

H.R. 1315 is deeply misguided, repudiating important protections for consumers, and I urge my colleagues in opposing this reckless bill.

Ms. HIRONO. Mr. Chair, I rise in opposition to H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act of 2011.

Today is the first anniversary of the Dodd-Frank Wall Street Reform and Consumer Protection Act. It is also the first official day of work for the Consumer Financial Protection Bureau (CFPB).

For the first time, the United States will have a financial regulator whose sole purpose is to protect consumers. From now on, there will be a cop on the beat watching out for predatory lending practices and unfair fees. Scam artists taking advantage of seniors, young people, and our men and women in uniform will be stopped. And, it will prevent honest businesses from having to compete with unscrupulous ones.

It will help consumers across the country get a fair deal.

I recently spoke with a young man in Hawaii who this agency's work would have helped. He was sold a $700,000 home at age 19. He

worked in construction and, at the time, business was booming. He was told by his lender that he qualified for the loan and that everything would be fine. He was inexperienced in purchasing real estate and trusted that the lender had his interests in mind. He was wrong. He no longer has that house, and today that young man's credit is so damaged that it will take him years to rebuild it.

This happened all over the country, and our economy is still reeling. But you wouldn't know that based on the legislation we are considering today. In fact, this bill seeks to limit the independence and effectiveness of the CFPB before it ever gets up and running.

First, it gives the Financial Stability Oversight Council (FSOC), which is primarily made up of the heads of the federal financial regulatory agencies, significant authority to block CFPB regulations. The FSOC's role is for the heads of these agencies to work together to identify and address serious risks to the whole economy—their primary responsibility is not consumer protection. This bill would reduce the threshold of votes required to overturn a CFPB rule from two-thirds to a simple majority and prevent the CFPB's director from voting.

Second, it replaces the single, independent CFPB director with a ''collegial'' commission. According to the Committee's report on this bill, such a structure is necessary for a better functioning agency. However, the Committee report fails to point out that the Securities and Exchange Commission, Federal Reserve Board, and other financial regulators are ''collegial'' commissions. Before the economic crisis these ''collegial'' bodies all had consumer protection responsibilities in their portfolios—but too often, those responsibilities fell to the bottom of the to-do list. The Federal Reserve was given the authority to regulate mortgages in 1994—but it took them 16 years to rein in risky loans.

Last, in a prime example of Washington double-speak the bill prevents the CFPB from taking over the consumer protection authorities of these other agencies until it has a Director. That is odd given that this very bill eliminates the Director position in favor of a commission.

Proponents of this measure say these changes are for the ''safety and soundness'' of the financial system. ''Safety and soundness'' in this case is really code for ''what's good for Wall Street's profitability is good for consumers.''

We all know that's not true.

Congress gave the CFPB sole responsibility for consumers so that other regulators will be able to focus on their primary jobs. The simple fact is that this bill would help reinstate regulatory gridlock and silence the voices of consumers—the opposite of what Dodd-Frank intended.

We have to remember that the cause of the crisis wasn't too much regulation—it was too little. I strongly oppose this legislation, and urge my colleagues to vote against it as well.

Mr. VAN HOLLEN. Mr. Chair, I don't think it's lost on anyone in this House that today is both the first anniversary of the Dodd-Frank Wall Street Reform law, as well as the first day the Consumer Financial Protection Bureau (CFPB) created by that law officially begins its work on behalf of American families. And so it is disappointing—although not very surprising—that the majority would choose to bring a bill to the floor designed to undermine and delay this vitally important independent watchdog for American consumers.

Specifically, H.R. 1315 would invite gridlock at the Consumer Financial Protection Bureau by replacing its current Director with a less accountable five-member commission. It would make it easier for other regulators to interfere with and overturn the Bureau's proposed consumer protections. And it would delay the CFPB's core functions until the Senate confirms the Chairman of the legislation's proposed Board of Directors—something the Senate Republican leadership has publicly and repeatedly announced it is unwilling to do.

Mr. Chair, although not the only cause, it is at this point beyond dispute that insufficiently regulated predatory lending practices targeting consumers with abusive financial products like subprime mortgages helped create the housing bubble that precipitated the financial crisis. Had the Consumer Financial Protection Bureau been in existence during the early 2000s, we could have protected individual homebuyers from these marketplace abuses—and ultimately protected the Nation from the financial meltdown that ensued.

Mr. Chair, we have an obligation to learn from history. Rather than take the referee off the field, we should insist on a referee that enforces clear and understandable rules of the road so that American consumers can make informed decisions about the financial products that are right for themselves and their families.

I urge a no vote.

Ms. MCCOLLUM. Mr. Chair, I rise in strong opposition to H.R. 1315, which would fundamentally-weaken the Consumer Financial Protection Bureau (CFPB) and leave consumers unprotected from the predatory lending practices that helped cause the Great Recession.

This week marks one year since President Obama signed the Wall Street Reform and Consumer Protection Act (P.L. 111–203) into law and provided long-overdue protection for consumers. Instead of building on the reforms and making them stronger, House Republicans are delaying and defunding parts of the Wall Street Reform law that will protect consumers the most. H.R. 1315 is just the latest example of House Republicans siding with Wall Street lobbyists over the best interests of their constituents.

This misguided bill would further delay the core functions of the CFPB and undermine its structure by replacing its director with a five-member commission. H.R. 1315 also threatens the independence of the CFPB by making it easier for the Financial Stability Oversight Council (FSOC) to override the CFPB's regulations. This is the wrong approach. In order to effectively oversee the $3 trillion consumer finance industry, the CFPB must be able to operate independently from other regulatory agencies.

H.R. 1315 would do nothing but prevent the CFPB from carrying out its duties of curbing abuses by big banks, credit card companies, and other financial institutions. Millions of Americans lost their jobs, homes, life savings, and pensions because of the recklessness of some on Wall Street. Now is the time to strengthen consumer protection laws, not weaken them.

I urge my colleagues to oppose H.R. 1315.

Ms. RICHARDSON. Mr. Chair, I rise today in strong opposition to H.R. 1315, the ''Consumer Protection Safety and Soundness Improvement Act'' because it is an undisguised attempt to undermine the critical reforms we worked to put in place following the economic disaster which cost this country 8 million jobs and $17 trillion in Americans' net worth and retirement savings.

I cannot support legislation that would take us back to a time when the people charged with regulating the financial industry were so intertwined with its interests that they purposefully looked the other way while unscrupulous firms conjured up dangerous and self-defeating schemes that brought our nation to the brink of economic disaster.

My friends on the other side of the aisle, aided by the army of banking industry lobbyists, all seem to have forgotten everything that happened in the past three years, so let us review the record.

Years without accountability for Wall Street and the Big Banks under President Bush and Congressional Republicans led to what most economists consider to be the worst financial crisis since the Great Depression.

The official explanation was that the crisis was not a natural disaster, but the result of high risk, complex financial products; undisclosed conflicts of interest; and the failure of regulators, the credit rating agencies, and the market itself to rein in the excesses of Wall Street.

Major financial institutions began to fall like dominoes, and we had to step in and bail them out. I voted for the Dodd-Frank Wall Street Reform and Consumer Protection Act because it ended any possibility of another taxpayer bailout and put in place measures to ensure that such insanity should never again threaten the livelihoods of innocent Americans.

H.R. 1315 is designed to slow down the Consumer Financial Protection Bureau (CFPB), replacing its single leader with a 5 member commission, which is likely to lead to internal gridlock.

Simply put, this legislation is an attack on the landmark Dodd-Frank Wall Street Reform Act passed by the Democratic-controlled 111th Congress and an attempt to return to the bad old days of the Wild West of Wall Street.

Weaken, delay, and erode—these are the tactics being employed through this legislation by those who choose to side with some reckless Wall Street bankers over millions of American families.

Mr. Chair, the financial crisis of 2008–2009, which we have come to call the ''Great Recession,'' saw millions of Americans pay the price of abuses committed by big banks, credit card companies, and other financial institutions on Wall Street.

They paid with their homes, their savings, their pensions and their jobs.

The Consumer Financial Protection Bureau was established under the Wall Street Reform and Consumer Protection Act which President Obama signed into law last year. Since then, opponents, backed by an army of banking lobbyists, have tried to restrict and cripple parts of the law that will do the most good for American consumers, the CFPB being the prime target.

H.R. 1315 replaces the Director of the CFPB with a 5 person commission, which will make it easier for other banking regulators, who failed to protect consumers in the past, to overturn its rules and delay its core functions until its leadership is confirmed by the Senate.

Mr. Chair, despite the claims made by supporters of H.R. 1315, the CFPB is far from being some all-powerful government bureaucracy subject to the whims of a single person, as new rules and initiatives it generates can at any time be overturned by a two-thirds vote from the Financial Stability Oversight Council. This ensures that the Director of the CFPB is held to account to the overall safety and stability of U.S. financial institutions.

The CFPB is intended to oversee the $3 trillion consumer finance industry and prevent unfair and deceptive lending practices such as those that caused the economic crisis we find ourselves in today.

H.R. 1315 would delay the transfer date for the CFPB until there is a Director confirmed by the Senate—a distant prospect since Republican Senators have vowed to filibuster any person nominated by President Obama. Thus, this provision in the bill would leave the CFPB with no meaningful consumer protection authority when it officially opens its doors.

The same federal banking regulators who failed us the first time will remain in charge, leaving consumers unprotected from the abuses that brought our country to the brink of collapse and led to the loss of more than 8 million American jobs.

Mr. Chair, since its creation last year, the CFPB has made considerable progress which hints at its full potential as a valuable and necessary component of our regulatory framework.

The CFPB has established a new consumer complaint process and consolidated the authority of seven other agencies in policing abuses in consumer financial products such as mortgages and credit cards, pushing their providers to simplify their forms so consumers fully understand the costs and fees associated with their products.

The CFPB also provides special guidance to members of the armed forces and has taken steps to police unfair practices employed by certain payday lenders and debt collectors.

H.R. 1315 throws a wrench into these accomplishments with the ultimate goal of destroying the Consumer Financial Protection Bureau and turning back the Dodd-Frank Wall Street Reform Act.

Mr. Chair, I believe that strong consumer protections are essential to stabilizing the economy, promoting competition and transparency, and bringing confidence back to the financial marketplace.

For these reasons and for the protection of my constituents' livelihoods, I will vote against this legislation and I encourage my colleagues to do likewise.

Mr. DINGELL. Mr. Chair, I rise in unreserved opposition to H.R. 1315, the Consumer Financial Protection Safety and Soundness Improvement Act. H.R. 1315's short title is ironic, given the bill's thinly veiled purpose of eviscerating the Consumer Financial Protection Bureau (CFPB) and continuing to allow unchecked consumer abuses by the financial institutions responsible for the crash of 2008. This is cynical legislating, Mr. Speaker, and ugly proof positive that my friends on the other side of the aisle care more about Wall Street banks than Main Street families.

H.R. 1315's provisions show that Republicans clearly have not learned the lessons of our ongoing Great Recession. Today's bill weakens the Consumer Financial Protection Bureau's ability to devise protections to protect the American public Not only does H.R. 1315 allow for consumer financial protection rules to be overturned more easily, but it also strips the time limit within which the Financial Stability Oversight Council (FSOC) must review and vote on petitions against them. H.R. 1315's perilous net effect is the crippling of the Consumer Financial Protection Bureau and its ability to protect Americans from all manner of deceitful Wall Street rascality.

As if reducing consumer protections were not enough, my Republican friends also feel the need to use H.R. 1315 as a vehicle to play wild games with the legislative process. The rule to bring H.R. 1315 to the floor mandates that when passed, H.R. 1315 will include H.R. 830, an unrelated bill to terminate the Federal Housing Administration's refinance program. I opposed H.R. 830 when it was originally considered on the House floor because I believe it hastily terminates a promising program tailored to benefit responsible homeowners. Wrapping H.R. 830 into the text of H.R. 1315 is Republican leadership's irresponsible ploy to appear fiscally austere at any cost, all while violating their own vaunted ''three-calendar-day'' and ''72-hour'' rules. Republican leadership might as well come on to the floor and announce, ''Do as I say, not as I do.''

Mr. Chair, H.R. 1315 and the ongoing debt limit debate have shown that the House Republicans are more concerned about the needs of their fat cat friends on Wall Street than American families that are living paycheck to paycheck. It is for all of these reasons and more that I strongly oppose H.R. 1315. I urge my colleagues to do the same so they can sleep at night with the peace of knowing they voted their conscience to protect the very people they were elected to represent, not the banks that crippled our country's economy.

Mrs. CHRISTENSEN. Mr. Chair, I rise in strong opposition to H.R. 1315. This bill reeks of financial irresponsibility under the disguise of protecting the American consumer. H.R. 1315 weakens and not strengthens the Dodd-Frank Wall Street Reform and Consumer Protection Act.

H.R. 1315 would grant the same regulators who failed so spectacularly to protect consumers and stop the financial crisis broad leeway to block CFPB rules. Bank regulators did not bother to stop dangerous mortgage lending and credit card practices because they were not independent of the lenders they regulated. They put near-term profitability ahead of consumer protection.

If we have learned anything from our current financial crisis is that strong consumer protections would have reduced, rather than increased, systemic financial risk. Consumers would have had less unsustainable debt. Banks would have fewer losses and been more financially stable. The real estate market would not have gone belly up. Families would not be finding themselves homeless. The economy would not have been pushed to the brink of collapse. Nonetheless, that did not stop the financial regulators like the Office of the Comptroller of the Currency (OCC) from claiming that protecting consumers from unfair and deceptive practices would harm bank ''safety and soundness.''

Mr. Chair, what about consumer ''safety and soundness''?

H.R. 1315 would ensure that bank regulators who want to block the CFPB from preventing abusive but lucrative practices—like unjustified, burdensome credit card interest rate increases or exploding ARM loan—have an easy excuse and a very good chance of succeeding. Less than one year after historic financial reform legislation was signed into law, Republicans are now trying to undermine the new CFPB. At a time when our economy is close to defaulting, we cannot continue to protect those who were responsible for our present economic situation.

And Mr. Chair, I would be remiss if I did not use this opportunity to applaud and commend Professor Elizabeth Warren for being our inspiration on behalf of the people of this country and for her excellent and dedicated work in standing up the Consumer Financial Protection Agency.

I urge my colleagues not to support this legislation.

Mr. BACA. Mr. Chair, I rise today to speak in strong opposition to the bill before us today.

In 2008, this country experienced the worst economic crisis since the Great Depression.

Millions of Americans lost their jobs, homes, life savings, and pensions because of the recklessness of some on Wall Street.

For too long, financial institutions were allowed to solely look out for their bottom line, instead of the hardworking American consumers they served.

Our economic system was dominated by greed, irresponsibility, and lacking oversight.

And now, exactly one year after we enacted the Dodd-Frank Wall Street and Consumer Protection Act, a comprehensive package of financial reforms, my Republican colleagues have brought to the floor a bill that severely restricts one of the main components of the bill—the Consumer Financial Protection Bureau.

For the first time in our history, we constructed a government agency that will look out for the American consumer first and foremost.

Yet instead of applauding this movement and supporting the efforts of consumer protection, my colleagues are working to cripple its authority and limit its effectiveness.

H.R. 1315 does nothing to protect American consumers. Instead it delays the transfer of authority to the CFPB and adds several levels of bureaucracy to the bureau's leadership which will only work to delay any decision, rulemaking or enforcement action the bureau engages in.

Finally this bill makes it easier for the other banking regulators, who failed to protect consumers for years, to overturn the Bureau's rules.

Equally appalling is the source of funds being used to pay for this bill.

Republicans have taken the savings gained from H.R. 830, a bill that eliminates the FHA Refinance Program to pay for the cost of the bill before us today.

This means that Republicans are taking money away from a government program aimed at helping homeowners struggling to keep their home, and using it to weaken the CFPB—ultimately making it easier for big banks to skirt consumer protection regulation.

Our economy is still struggling to recover from the economic collapse of 2008.

Millions of Americans are still struggling to find jobs and figure out how they are going to keep their homes.

It has been 28 weeks since the Republicans took control of this chamber, and time and

time again, we are forced to consider bills that do nothing to solve the problems that Americans are facing today.

Instead we debate bills like this that eliminate protections for the American middle class and serve as handouts to the ultra rich and corporations that ship jobs overseas.

We should be focusing our attention on getting our economy back on track.

We should be focusing on bills that create jobs and help the middle class recover.

We need to bring back financial security for Americans, and one of the ways to do that is to allow for a strong and independent Consumer Financial Protection Bureau.

Democrats are standing with American families to help get our economy back on track, and calling for strong consumer protection and effective accountability to prevent another financial crisis for Wall Street.

I urge my colleagues to vote against this bill.

Mrs. CAPITO. I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee print dated July 14, 2011. That amendment shall be considered read.

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

H.R. 1315

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 ''Consumer Financial Protection Safety and Soundness Improvement Act of 2011''.

SEC. 2. COUNCIL VOTING PROCEDURE.

Section 1023(c)(3)(A) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) by striking ''⅔'' and inserting ''a majority''; and

(2) by inserting before the period the following: '', excluding the Chair of the Commission of the Bureau''.

SEC. 3. REVIEW AUTHORITY OF THE COUNCIL.

Section 1023 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in subsection (a)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''regulation or provision would put the safety and soundness of the United States banking system or the stability of the financial system of the United States at risk'' and inserting ''regulation which is the subject of the petition is inconsistent with the safe and sound operations of United States financial institutions''; and

(2) in subsection (c)—

(A) in paragraph (3)(B)(ii), by striking ''would put the safety and soundness of the United States banking system or the stability of the financial system of the United States at risk'' and inserting ''is inconsistent with the safe and sound operations of United States financial institutions'';

(B) in paragraph (4)—

(i) by striking subparagraph (B); and

(ii) by redesignating subparagraph (C) as subparagraph (B);

(C) by striking paragraph (5);

(D) by redesignating paragraphs (6), (7), and (8) as paragraphs (5), (6), and (7), respectively; and

(E) by adding at the end the following new paragraph:

''(8) PUBLIC MEETINGS.—Any time the Council meets pursuant to this section to decide whether to issue a stay of, or set aside, any regulation, every portion of such meeting shall be open to public observation.''.

SEC. 4. ESTABLISHMENT OF THE COMMISSION.

Section 1011 of the Consumer Financial Protection Act of 2010 is amended—

(1) by striking subsections (b), (c), and (d);

(2) by redesignating subsection (e) as subsection (j); and

(3) by inserting after subsection (a) the following new subsections:

''(b) ESTABLISHMENT OF THE COMMISSION.—

''(1) IN GENERAL.—There is hereby established a commission (hereinafter referred to in this section as the 'Commission') that shall serve as the head of the Bureau.

''(2) AUTHORITY TO PRESCRIBE REGULATIONS.—The Commission may prescribe such regulations and issue such orders in accordance with this title as the Commission may determine to be necessary for carrying out this title and all other laws within the Commission's jurisdiction and shall exercise any authorities granted under this title and all other laws within the Commission's jurisdiction.

''(c) COMPOSITION OF THE COMMISSION.—

''(1) IN GENERAL.—The Commission shall be composed of the Vice Chairman for Supervision of the Federal Reserve System and 4 additional members who shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals who—

''(A) are citizens of the United States;

''(B) have strong competencies and experiences related to consumer financial protection; and

''(C) should want to protect service members and their families who are sacrificing their lives for this country from abusive financial practices.

''(2) STAGGERING.—The members of the Commission appointed under paragraph (1) shall serve staggered terms, which initially shall be established by the President for terms of 1, 2, 4, and 5 years, respectively.

''(3) TERMS.—

''(A) IN GENERAL.—Each member of the Commission appointed under paragraph (1), including the Chair, shall serve for a term of 5 years.

''(B) REMOVAL FOR CAUSE.—The President may remove any member of the Commission appointed under paragraph (1) only for inefficiency, neglect of duty, or malfeasance in office.

''(C) VACANCIES.—Any member of the Commission appointed under paragraph (1) appointed to fill a vacancy occurring before the expiration of the term to which that member's predecessor was appointed (including the Chair) shall be appointed only for the remainder of the term.

''(D) CONTINUATION OF SERVICE.—Each member of the Commission appointed under paragraph (1) may continue to serve after the expiration of the term of office to which that member was appointed until a successor has been appointed by the President and confirmed by the Senate, except that a member may not continue to serve more than 1 year after the date on which that member's term would otherwise expire.

''(E) OTHER EMPLOYMENT PROHIBITED.—No member of the Commission appointed under paragraph (1) shall engage in any other business, vocation, or employment.

''(4) ROLES AND RESPONSIBILITIES OF COMMISSIONERS.—One member of the Commission shall have as their primary responsibility the oversight of the Bureau's activities pertaining to protecting consumers, with a focus on consumers who are older, minorities, youth, or veterans, from unfair, deceptive, and abusive lending practices. The designated commissioner shall be responsible for—

''(A) ensuring the Bureau conducts regular outreach to consumers regarding industry lending activities;

''(B) researching and reporting to the full Commission, on a regular basis, the impact of new loan and credit products and services on consumers; and

''(C) ensuring the Bureau coordinates with State-level consumer protection agencies on enforcement measures that protect consumers from unfair, deceptive, and abusive lending practices.

''(d) AFFILIATION.—With respect to members appointed pursuant to subsection (c)(1), not more than 2 shall be members of any one political party.

''(e) CHAIR OF THE COMMISSION.—

''(1) APPOINTMENT.—The Chair of the Commission shall be appointed by the President from among the members of the Commission appointed under paragraph (1).

''(2) AUTHORITY.—The Chair shall be the principal executive officer of the Bureau, and shall exercise all of the executive and administrative functions of the Bureau, including with respect to—

''(A) the appointment and supervision of personnel employed under the Bureau (other than personnel employed regularly and full time in the immediate offices of members of the Commission other than the Chair);

''(B) the distribution of business among personnel appointed and supervised by the Chair and among administrative units of the Bureau; and

''(C) the use and expenditure of funds.

''(3) LIMITATION.—In carrying out any of the Chair's functions under the provisions of this subsection the Chair shall be governed by general policies of the Commission and by such regulatory decisions, findings, and determinations as the Commission may by law be authorized to make.

''(4) REQUESTS OR ESTIMATES RELATED TO APPROPRIATIONS.—Requests or estimates for regular, supplemental, or deficiency appropriations on behalf of the Commission may not be submitted by the Chair without the prior approval of the Commission.

''(f) NO IMPAIRMENT BY REASON OF VACANCIES.—No vacancy in the members of the Commission shall impair the right of the remaining members of the Commission to exercise all the powers of the Commission. Three members of the Commission shall constitute a quorum for the transaction of business, except that if there are only 3 members serving on the Commission because of vacancies in the Commission, 2 members of the Commission shall constitute a quorum for the transaction of business. If there are only 2 members serving on the Commission because of vacancies in the Commission, 2 members shall constitute a quorum for the 6-month period beginning on the date of the vacancy which caused the number of Commission members to decline to 2.

''(g) SEAL.—The Commission shall have an official seal.

''(h) COMPENSATION.—

''(1) CHAIR.—The Chair shall receive compensation at the rate prescribed for level I of the Executive Schedule under section 5313 of title 5, United States Code.

''(2) OTHER MEMBERS OF THE COMMISSION.—The 3 other members of the Commission appointed under subsection (c)(1) shall each receive compensation at the rate prescribed for level II of the Executive Schedule under section 5314 of title 5, United States Code.

''(i) INITIAL QUORUM ESTABLISHED.—During any time period prior to the confirmation of at least two members of the Commission, one member of the Commission shall constitute a quorum

for the transaction of business. Following the confirmation of at least 2 additional commissioners, the quorum requirements of subsection (f) shall apply.''.

SEC. 5. CONFORMING AMENDMENTS.

(a) CONSUMER FINANCIAL PROTECTION ACT OF 2010.—

(1) IN GENERAL.—The Consumer Financial Protection Act of 2010 is amended—

(A) in section 1002, by striking paragraph (10);

(B) in section 1012(c)(4), by striking ''Director'' each place such term appears and inserting ''Commission of the Bureau'';

(C) in section 1013(c)(3)—

(i) by striking ''Assistant Director of the Bureau for'' and inserting ''Head of the Office of''; and

(ii) in subparagraph (B), by striking ''Assistant Director'' and inserting ''Head of the Office'';

(D) in section 1013(g)(2)—

(i) by striking ''ASSISTANT DIRECTOR'' and inserting ''HEAD OF THE OFFICE''; and

(ii) by striking ''an assistant director'' and inserting ''a Head of the Office of Financial Protection for Older Americans'';

(E) in section 1016(a), by striking ''Director of the Bureau'' and inserting ''Chair of the Commission'';

(F) in section 1017(c)(1), by striking ''Director and other employees'' and inserting ''members of the Commission and other employees'';

(G) in section 1027(l)(1), by striking ''Director and the''; and

(H) in section 1066(a), by striking ''Director of the Bureau is'' and inserting ''first member of the Commission is''.

(2) GLOBAL AMENDMENTS.—The Consumer Financial Protection Act of 2010 is amended—

(A) by striking ''Director of the'' each place such term appears, other than in—

(i) subparagraphs (A) and (E) of section 1017(4);

(ii) section 1043;

(iii) section 1061(b)(3);

(iv) section 1062;

(v) section 1063(f);

(vi) subparagraphs (E) and (G) of section 1064(i)(2); and

(vii) section 1065(a); and

(B) by striking ''Director'' each place such term appears and inserting ''Bureau'', other than in—

(i) section 1063(f)(2); and

(ii) section 1065(a).

(b) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—The Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in section 111(b)(1)(D), by striking ''Director'' and inserting ''Chair of the Commission''; and

(2) in section 1447, by striking ''Director of the Bureau'' each place such term appears and inserting ''Bureau''.

(c) ELECTRONIC FUND TRANSFER ACT.—Section 921(a)(4)(C) of the Electronic Fund Transfer Act, as added by section 1075(a)(2) of the Consumer Financial Protection Act of 2010, is amended by striking ''Director of the Bureau of Consumer Financial Protection'' and inserting ''Bureau of Consumer Financial Protection''.

(d) EXPEDITED FUNDS AVAILABILITY ACT.—The Expedited Funds Availability Act, as amended by section 1086 of the Consumer Financial Protection Act of 2010, is amended by striking ''Director of the Bureau'' each place such term appears and inserting ''Bureau''.

(e) FEDERAL DEPOSIT INSURANCE ACT.—Section 2 of the Federal Deposit Insurance Act, as amended by section 336(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended by striking ''Director of the Consumer Financial Protection Bureau'' each place such term appears and inserting ''Chair of the Commission of the Bureau of Consumer Financial Protection''.

(f) FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL ACT OF 1978.—Section 1004(a)(4) of the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3303(a)(4)), as amended by section 1091 of the Consumer Financial Protection Act of 2010, is amended by striking ''Director of the Consumer Financial Protection Bureau'' and inserting ''Chair of the Commission of the Bureau of Consumer Financial Protection''.

(g) FINANCIAL LITERACY AND EDUCATION IMPROVEMENT ACT.—Section 513 of the Financial Literacy and Education Improvement Act, as amended by section 1013(d) of the Consumer Financial Protection Act of 2010, is amended by striking ''Director'' each place such term appears and inserting ''Chair of the Commission''.

(h) HOME MORTGAGE DISCLOSURE ACT OF 1975.—Section 307 of the Home Mortgage Disclosure Act of 1975, as amended by section 1094(6) of the Consumer Financial Protection Act of 2010, is amended by striking ''Director of the Bureau of Consumer Financial Protection'' each place such term appears and inserting ''Bureau of Consumer Financial Protection''.

(i) INTERSTATE LAND SALES FULL DISCLOSURE ACT.—The Interstate Land Sales Full Disclosure Act, as amended by section 1098A of the Consumer Financial Protection Act of 2010, is amended—

(1) by amending section 1402(1) to read as follows:

''(1) 'Chair' means the Chair of the Commission of the Bureau of Consumer Financial Protection;'';

(2) in section 1416(a), by striking ''Director of the Bureau of Consumer Financial Protection'' and inserting ''Chair''; and

(3) by striking ''Director'' each place such term appears and inserting ''Bureau''.

(j) REAL ESTATE SETTLEMENT PROCEDURES ACT OF 1974.—Section 5 of the Real Estate Settlement Procedures Act of 1974, as amended by section 1450 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, is amended—

(1) by striking ''The Director of the Bureau of Consumer Financial Protection (hereafter in this section referred to as the 'Director')'' and inserting ''The Bureau of Consumer Financial Protection''; and

(2) by striking ''Director'' each place such term appears and inserting ''Bureau''.

(k) S.A.F.E. MORTGAGE LICENSING ACT OF 2008.—The S.A.F.E. Mortgage Licensing Act of 2008, as amended by section 1100 of the Consumer Financial Protection Act of 2010, is amended—

(1) by striking ''Director'' each place such term appears in headings and text and inserting ''Bureau''; and

(2) in section 1503, by striking paragraph (10).

(l) TITLE 44, UNITED STATES CODE.—Section 3513(c) of title 44, United States Code, as amended by section 1100D(b) of the Consumer Financial Protection Act of 2010, is amended by striking ''Director of the Bureau'' and inserting ''Bureau''.

SEC. 6. CHAIR OF THE COMMISSION REQUIRED BEFORE TRANSFER.

Section 1062 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new subsection:

''(d) CHAIR OF THE COMMISSION REQUIRED BEFORE TRANSFER.—Notwithstanding the other provisions of this section, the single calendar date for the transfer of functions to the Bureau under section 1061 shall be the later of—

''(1) the date that would have been designated, but for the application of this subsection; and

''(2) the date on which the Chair of the Commission of the Bureau is confirmed by the Senate.''.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 112–172. Each 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 MRS. MALONEY

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–172.

Mrs. MALONEY. I have an amendment at the desk on behalf of the gentleman from Minnesota (Mr. ELLISON), who is recovering from a knee injury.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 1, strike line 5 and all that follows through page 3, line 2 (and redesignate succeeding sections accordingly).

Page 10, after line 21, insert the following new subparagraph (and redesignate succeeding subparagraphs accordingly):

(G) by striking section 1023;

The Acting CHAIR. Pursuant to House Resolution 358, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MALONEY. Thank you.

Today is the 1-year anniversary of Dodd-Frank. It is also the date of transferring authority to the CFPB so it can protect consumers in one single place.

The Consumer Financial Protection Bureau is a critical part of last year's financial reform bill. It will ensure that there is a cop on the beat protecting consumers from predatory products and misleading information. But instead of supporting the CFPB on its first day, House Republicans are pushing forward with a bill to weaken this important agency, to derail, delay, and de-fang it.

I want to point out that many of the people on the other side of the aisle that are supporting the Republican change are the exact same ones who voted against Dodd-Frank in the first place, opposed the consumer protections, and opposed the creation of the CFPB.

The bill sets out to change the CFPB so that it is less independent and instead is more bureaucratic. House Republicans want a five-person commission instead of a single director, but the single director structure is exactly like the OCC, the OTS and other financial agencies. A single director promotes more accountability, allows quicker reaction and change to market conditions. A five-person board would be slow, indecisive, and more expensive.

The Office of Management and Budget estimates that this new form will

cost $71 million. And where do they propose to get this money? From a program that was helping consumers who lost their mortgages, their mortgages were underwater, but if we had had a CFPB in place, we could have prevented the subprime crisis in the first place.

One of the problems is that no one in the whole regulatory structure was looking out for consumers. Consumers were an afterthought, a third thought, or were not thought about at all, and this agency will be the first time that someone is looking out for the consumer.

They also want to make it easier for bank regulators to override the CFPB rules so that they can go back to the status quo that led up to the financial crisis in the first place that has cost the American public trillions and trillions of dollars.

The Ellison amendment would delete the section of Dodd-Frank that created the FSOC override. The other body included it as a way to provide a check on a single director, but if they're going to change the entire structure to a five-person commission, then there is no need for that additional check, and the override power of the FSOC would be entirely eliminated.

□ 1640

So I ask my colleagues to support the Ellison amendment.

Most importantly, Americans favor a strong CFPB. In a poll this last week, it showed that 73 percent favor a strong and independent CFPB protecting consumers. As the chart behind me shows, they overwhelmingly support the critical functions of the bureau, including better disclosure for credit cards, making it harder for lenders to offer loans which are confusing and with confusing teaser rates and other features, allowing them to come forward with simplified forms so that they could compare prices and get the best price and product for them. It would make risks clear and prices clear.

My colleagues on the other side of the aisle are doing everything they can to defang and delay it.

I now yield the balance of my time to the gentleman from the great State of North Carolina (Mr. MILLER).

The Acting CHAIR. The gentleman is recognized for 45 seconds.

Mr. MILLER of North Carolina. Mr. Chairman, I know that the Republicans' political consultants have said that they need to argue because Americans really do like this agency that is huge and that has dictatorial powers and unchecked accountability. The problem with that argument is that it is completely untrue.

This agency has all of the oversight, more than every other agency has. Before they adopt a rule, they have to let everyone know they're thinking about adopting a rule; they have to take public comment; then they have to propose the rule; then they have to take more public comment. After all that, they can then be taken to court. If the rule is arbitrary and capricious and if there is no evidence to support it, it can be overturned by a court.

There is ample protection in the law already. We do not need the additional check of having the regulators, the supposed watchdogs who did such an abysmal job in the last decade, having a veto over everything they do. There are protections enough already.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I would like to just start by saying I am absolutely amazed at this amendment and that my ranking member is in favor of it, considering that she voted for the bill and that she is voting to strike the section of the oversight, of the FSOC, that she and others who wrote the bill put in there, because that's basically what this amendment does.

Mr. Chairman, I yield the balance of my time to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I think it is important to note the reason that oversight of the CFPB wasn't included in the original legislation, that being that the CFPB doesn't have to consider safety and soundness when they're making rules. Safety and soundness is the gold standard when we look at our banking industry and how it effectively works within our society. Because that was not included—we just looked at consumer protection—I think the rationale was that, well, we should have an outside group review each rule that comes out to make sure it will not undermine our financial sector.

I have to tell you I am quite amazed, though. My friends across the aisle drafted a bill that includes a review process, a review process that only gives a voice to big banks on Wall Street, that only gives a voice to those banks that are too big to fail. So I come out with a commonsense reform. I say, Listen. Let's just not give a voice to your friends on Wall Street. Let's give a voice to the small community banks in rural Wisconsin, to small credit unions in rural Wisconsin. Let's give them a voice, too. Then when we do that, when we make that proposal, Mr. Chairman, it seems like they want to take their ball and go home. They say, Well, if you want to give a voice to small community banks, then no one should have a voice to express their concern for a rule that could be harmful.

I mean, when you look at small community banks that are already overregulated, small community banks and credit unions which had nothing to do with the financial crisis but are going to be stuck dealing with over 2,000 pages of rules from Dodd-Frank, let's give them a voice to come here and say, This is how these rules will impact and affect us.

So I would say to my friends across the aisle, don't take your ball and go home. Let's actually work together and find a way in which we can give a voice to those banks and those credit unions that don't currently have one.

Mrs. CAPITO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The amendment was rejected.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–172.

Ms. JACKSON LEE of Texas. Mr. Chairman, 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 1, strike lines 5 through 12 (and redesignate succeeding sections accordingly).

The Acting CHAIR. Pursuant to House Resolution 358, 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. I thank Mr. FRANK, and I thank the ranking member, and I thank the managers of this legislation as well.

Mr. Chairman, I have become friends with my two poster pictures here because I do think they symbolize sort of the composite of America. My amendment, I think, focuses on making sure that the Consumer Financial Protection Bureau, which is something that consumers asked for—sometimes under the Christmas tree or during the gift-giving season, you get a gift that you may not have asked for, but you know there's a problem or you know you want something, and all of a sudden that gift shows up. That's what the Dodd-Frank bill did with the Consumer Financial Protection Bureau.

Now my friends want to defang, derail and delay this very important legislation. The bureau is one of the strongest provisions of the Dodd-Frank bill, and it was created to consolidate the authorities responsible for consumer protection. It is an important bill because, American consumers, you need to have strong protection: credit cards, buying a car, student loans. We're not trying to undermine businesses. We're simply trying to create an even playing field.

My amendment empowers the consumer board and ensures that it will be able to issue the rules that will protect the average financial consumer. The bill that we're speaking of, as written, empowers the Financial Stability Oversight Council to overrule a consumer victory by a simple majority vote. This will literally turn the authority of the CFPB around and weaken consumer authority.

My amendment restores the two-thirds responsibility, or the two-thirds

vote, that is needed to overrule a good vote for the consumers—a good vote for this nurse who may be buying a car; a good vote for this little one whose parents may be overburdened with credit card debt because they signed on to credit cards with enormous interest rates of which they are unaware; or it may be able to help these military families, many of them suffering because of the sons and daughters, husbands and wives who are overseas—to be able to say to these families, you can get a home without being defrauded.

So I ask my colleagues to support this amendment.

Mr. Chair, I rise today in support of my amendment, number 4 to H.R. 1315, the Consumer Financial Protections and Safety Act. My amendment will ensure the Consumer Financial Protection Bureau (CFPB) will be able to make effective decisions on behalf of the public by restoring the two-thirds majority vote in order for the Financial Stability Oversight Council (FSOC) to overturn a CFPB ruling.

The creation of the Consumer Financial Protection Bureau (CFPB) is one of the strongest provisions in the Dodd-Frank legislation passed last year. The Bureau was created to consolidate the authorities responsible for consumer protection.

American consumers need a strong independent CFPB to police credit and payment markets and to put consumer protection first. The widespread economic crisis has threatened consumer wealth. The impact has reached consumers worldwide. Many Consumers lost their assets, incomes, and ultimately confidence.

Consolidating these regulatory authorities allowed the bureau to exert its influence and enforce consumer protections. With this newly defined power afforded to the CFPB came a new era of oversight. The CFPB has stopped unfair practices, protected the average consumer from fraud and abuse, and held big business accountable to prevent bailouts at the expense of the taxpayers.

THE CFPB'S FUNCTIONS

The CFPB will look out for people as they borrow money or use other financial services by:

Implementing and enforcing Federal consumer financial laws;

Reviewing business practices to ensure that financial services providers are following the law;

Monitoring the marketplace and taking appropriate action to make sure markets work as transparently as they can for consumers; and

Establishing a toll-free consumer hotline and website for complaints and questions about consumer financial products and services.

My amendment empowers the CFPB and ensures that it will be able to issue rules that will protect the average financial consumer. H.R. 1316 as written empowers the Financial Stability Oversight Council to overrule regulatory measures passed by the CFPB with a simple majority, instead of the two-thirds majority in current law, this change to a majority vote will make it easier to weaken consumer protections for the CFPB. This will literally return control of rules governing financial products back in the hand of the very agencies that were not able to neither foresee nor offset the financial crisis we are currently recovering from. My amendment restores the 2/3's vote to overturn regulations of the CFPB and it restores the rights of the consumer.

A strong and independent CFPB is the only way to ensure that the best interest of the consumer is protected. This bureau was designed to increase transparency and equality in mortgage practices, credit card procedures and other consumer services.

Allowing the CFPB to set and enforce clear and consistent regulations is a fair and cohesive way to safeguard against the type of practices that contributed directly to the financial meltdown of 2008.

Cities and towns across the nation are still struggling to recover from the collapse of the housing market, and subsequent financial crisis. According to study of 20 metropolitan centers throughout America conducted in 2010 by the National League of Cities, Houston, where I represent the 18th Congressional District is still suffering an unemployment rate of 8.3%, and a foreclosure rate than has risen more than 60% since 2007.

I seek to restore the two-thirds majority needed to overturn a regulation issued by the Bureau of Consumer Financial Protection to safeguard hardworking Americans from fraudulent practices, and predatory loans. This amendment will protect people like Chris from McKinney, Texas.

STORIES

Chris: Chris and his family had a modest home, and they were able to afford their mortgage payments until he lost his job. After a year of unemployment, the family's savings were depleted, and there was no money with which to pay their mortgage. Chris still tried to be responsible; he tried to work with the mortgage company to reach a solution, to refinance. Without ever sending him a Notice of Sale, the mortgage company removed his property from the home, changed the locks, and sold the home where Chris and his wife raised their two children.

Chris spent his savings. He tried to work with the mortgage company to save his home. Chris and his family demonstrated good faith; until Chris lost his job, they paid their mortgage each month, and when they reached out for help in order to save their home, there was no help to be found.

Michelle, Houston: Chris' story is similar to that of Michelle, a resident of Houston, who told her story to a local news station. Michelle's home was severely damaged by Hurricane Ike, and she and her husband had difficulties rebuilding. During the construction process, Michelle and her husband had to take wage cuts, and the cost of the home repairs, coupled with the unexpected reduction of income caused them to default on their mortgage.

Michelle was four months behind on payments, and had just moved back into her home, the damage from Hurricane Ike finally repaired, when she received a notice of foreclosure. Desperate and panicked, Michelle contacted a private company that had sent her a letter alleging they could save her home for a fee. After sending the company $1,400, Michelle was told there was nothing they could do.

Michelle and her husband, like Chris and his wife, were forced to vacate their home due to circumstances beyond their control. Michelle tried everything—she attempted to work with Bank of America, the owner of the mortgage, to modify her loan, or establish a payment plan—to no avail.

ADDITIONAL STORIES

Jacob (56) a retired mechanic wanted to purchase $70,000 CD. He was referred to speak with a financial advisor. Jacob was talked into buying a high risk mutual fund and to pay a $3,157 up front fee. This man only makes $25,000 and worked hard to save his money. He ended up losing $12,000 and was told he would make more money. This man had no experience in stocks, bonds, or mutual funds.

A retired court clerk went to her local bank to discuss a financial matter. She entered the bank and spoke with a bank teller. She asked the bank teller for information about opening an IRA account. The teller directed the customer to speak with a bank advisor. The customer believed she was going to speak with an employee of the bank. Her confusion was understandable as the person that she was directed too did have a desk within the confines of the bank's premises; and the teller stated the individual was a bank advisor. However, as it turns out the advisor was not an employee of the bank. The customer ended up losing thousands of dollars and ended up winning a lawsuit against bank.

Martha: The Home Foreclosures crisis has hit every part of our country. For example, in Oregon, a 62 year old woman named Martha now faces losing her home. Martha owned her three-bedroom house for 20 years and had built up significant equity. She fell behind making payments after quitting her job answering customer service calls for credit card companies at her home. Since then, she's lived off unemployment, social security and a small business incubating and selling quail eggs. She sought a modification but could not get the bank to agree, despite repeatedly submitting documents. ''Even though I couldn't afford an attorney, I thought, 'What's the harm?' '' Flynn said. ''Most people just give up.''

Martha finally did end up suing and winning her case. A judge has blocked the bank from evicting Martha, whose home it purchased in foreclosure. The court concluded that her lenders had not properly recorded mortgage documents. Although, this is a great legal win for Martha, she is still in limbo, as there's no clear choice for her and there's no big money at the end of this rainbow, either because even with the victory, Martha may very well end up losing her home. Martha was not a woman who wanted to get rich quick by buying and selling homes. She did not buy her home during the bubble. She has paid her mortgage for 20 years! There are hundreds of other stories of hardworking Americans having to fight big banks on their own. That's why there needs to be this Bureau to protect consumers like Martha.

According to Lisa, Executive Director of a coalition, ''Deceptive and abusive mortgage lending—allowed to continue by the existing regulators—was a fundamental cause of the financial crisis, and of the worst recession since the Great Depression. In response, Congress created the consumer bureau, so we will have a cop on the beat with fair play and the public interest as its first priority.''

FORECLOSURE PRACTICES AND MORTGAGE SERVICING

The Dodd-Frank Act instructed the new agency to replace the Truth in Lending form and the Good Faith Estimate with a single integrated mortgage disclosure.

We learned a series of valuable lessons during the financial crisis. One of the lessons we learned is that it is very easy for lenders to mislead consumers about the true, long-term costs of their loans.

According to Alys, a Staff Attorney in Washington, D.C., the rules need to be fixed to handle loan modifications in a strong, clear manner that can help avoid more foreclosures. ''The core requirement that is needed is to stop the practice of pursuing foreclosure at the same time that someone is being reviewed for a loan modification,'' she said. Consumers continue to receive conflicting information, are required to resubmit the paperwork and can be foreclosed while waiting for word on a loan modification.

The fact is that if you take a good look back at the financial crisis that began in 2008 and continues today, most of it is attributable to predatory and irresponsible mortgage practices that were deplorable but not illegal. In other words, I believe that the most important role of the CFPB in this regard is the creation of new policies and rules to protect individual borrowers and consumers, not only to enforce existing laws that were and are in some cases woefully inadequate.

The mortgage crisis makes it clear that no one had to break the law to con us . . . the American People. The vast majority of those creative option-ARMS was perfectly legal, terribly innovative and clearly, as they have now been labeled, weapons of mass destruction. So while it is obviously very important to enforce the law, it is more important to make effective laws and rules that can then be efficiently enforced. The CFPB is the government's watch dog to protect consumers. We must ensure the Agency has the power to do its job.

Additionally, one of the other root causes of our current financial malaise was the lack of financial literacy among the general population in this country. The victims of what I will call a legal con game . . . were the citizens who were convinced that they could buy houses that they could not afford by looking at the current mortgages of ARMS. These loans were all run by those avaricious bankers and brokers who had excellent targets, because most buyers really didn't know much about money, or mortgages, or borrowing in general—but unfortunately now they're getting a crash course in foreclosure. There is no law, however wise and rigorously enforced, that can substitute for a financially educated populace. Knowledge is, after all, power. In sum, in order to prevent a repeat of recent financial history, the CFPB must ensure that Americans know as much about financial matters as they do about Kim Kardashian, and it must make and enforce new rules that protect consumers within every financial strata, not just the folks who buy the bonds issued by firms.

Not only did the effects of the housing market collapse force millions from their homes, it reverberated across various financial markets. Access to credit, on which our economy depends, was limited, making it difficult for families to secure affordable loans.

Restoring the two-thirds majority will foster debate and compromise among members of the FSOC, and ultimately lead to more productive solutions between the FSOC and CFPB.

We must ensure that the CFPB is able to advocate for the best interests of the consumer. As we continue on the path to recovery in the wake of the 2008 financial crisis, it is not corporate giants, but average Americans who are still suffering.

In order to bring this country out of its economic downturn, there must be hope, optimism and we must come together in the resilience and enduring legacy of the American Dream. The legacy that has for years past, and will for centuries to come, send the message to the world that on our shores, from sea to sea, anything can be achieved.

I urge my colleagues to support my amendment to restore the two-thirds majority and give the Bureau of Consumer Financial Protection real oversight capabilities. We must protect consumers; we must put the interest of our constituents before those of corporations.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I oppose the amendment because I am in support of the bill, Mr. DUFFY's bill, which puts a workable and a more reasonable standard that could actually look at consumer rules and regulations that, as he has said, and I think very eloquently, takes in consideration Main Street, the community bankers and the credit unions.

I would like to remind the gentlewoman from Texas, as we were reminded by the gentleman from Massachusetts, that car loans are exempted from this, so we don't have to worry about car loans in terms of their being part of the rule and regulation. That is part of the Dodd-Frank bill. Anyway, I think that a simple majority makes a lot of sense.

I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. I think one of the reasons we modified the rule is that right now, with the two-thirds majority, you basically need seven out of 10 votes to overturn what would be a harmful rule. In the way the law is currently written, one of the voting members is the director of the CFPB, making the standard that much more difficult.

□ 1650

If we're talking about harmful rules to our community banks and our credit unions, let's make sure we have a simple majority that can step in and overturn those rules. Why do we want to set a standard so high that it can't be overturned? It's nearly impossible to overturn it.

And I would commend my friends on the other side of the aisle to make sure there was a review process in the CFPB. But no law is ever perfect, and with that, I think we should come forward today and say how can we better perfect this rule to work for our consumers? And having a simple majority to overturn a rule that could be harmful coming from the CFPB does exactly that.

Ms. JACKSON LEE of Texas. Let me just say as I yield to the gentleman, the ranking member and chairman at the time of passage of this bill, I was given a litany of ills that can attack consumers. I'm glad we have this board, and I'm glad that we are looking to restore the two-thirds oversight to protect these individuals and the nurse and the child. I ask support for the amendment.

I yield the balance of my time to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. First of all, let's resolve one contradiction in the Republican amendment. Some have said, why are you now opposing what you originally supported? Well, this is a clear example. We never supported anything like this. We always thought it had to be two-thirds. And here's what happened.

There is no comparable banking agency which can be overruled by the other agencies. But the Republicans got very nervous about this and their banker friends were in a bit of a twitter. And they said, Save us from this horrible notion of consumer protection. I say it doesn't speak well for banks if they think consumer protection undermines safety and soundness.

So we said, okay, here's what we'll do. To lower these fears, we will say if it does threaten the whole system, two-thirds can overturn it. We didn't think that was very likely. It was to try to calm people down. They transform it with this amendment into saying that five regulators, because the consumer bureau couldn't vote, five regulators who have overlapping terms who may have been appointed by previous Presidents, regulators who represent the very regulatory agencies that have not been good about consumers can overturn the consumer bureau. This amendment canceled the fundamental reason for having a consumer bureau.

The Acting CHAIR. The time of the gentleman has expired.

Mrs. CAPITO. I yield 3 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Mr. Chairman, this is remarkable.

My friends across the aisle actually include and voted for a review process of the CFPB, and now they come in today and say, Listen, we want to do away with that review process. I mean, how last year did we come into this House and say we're going to vote for a review process of harmful rules coming from the CFPB because it doesn't include the standard of consideration for safety and soundness, but today with my bill, they come in and say, We don't want any review process. That to me, Mr. Chairman, does not make sense.

I don't think it works for the American people, and it doesn't work for small community banks and credit unions who support a review process. Not only that, but they support a voice in that review process. And that's what my bill does.

Mrs. CAPITO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FRANK of Massachusetts. 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 Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. DEFAZIO

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–172.

Mr. DEFAZIO. 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 1, line 6, strike ''Section'' and insert the following:

(a) IN GENERAL.—Section

Page 1, after line 12, insert the following:

(b) CONFLICT OF INTEREST.—Section 1023(c)(3) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new subparagraph:

''(C) CONFLICT OF INTEREST.—No member of the Council may vote on the decision to issue a stay of, or set aside, any regulation under this section, if such member has, within the previous 2-year period, been employed by any company or other entity that is subject to such regulation.''.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Oregon (Mr. DEFAZIO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. DEFAZIO. Hopefully, this will be an amendment which can be accepted. It's quite simple.

And what I'm addressing is what The Washington Post has called the revolving door that spins at a dizzying pace here in Washington, D.C. The New York Times has said that Goldman Sachs is ''Government Sachs'' for all the employees who bounce back and forth between the Nation's Capital, the regulatory bodies, administrative branch, and its Manhattan office tower.

All my amendment simply does is prevent potential conflicts of interest. Remember, a board here has been created in the original bill which can overturn any regulation, fairly unique among independent agencies if there is a board which can overturn the administrative procedures or rules that they adopt on the financial services industry. But in any case, that was in the original bill. This bill would reduce from a two-thirds majority to a 50 percent majority of this 10-member board.

And my amendment just says if there's 10 people sitting on the board and it's potentially a close vote and this is something that's going to affect, say—not to pick on Goldman Sachs—but let's just say Goldman Sachs and a member of the board is a former employee of Goldman Sachs within the last 24 months, that member would have to sit out the vote. Plain and simple. It is a conflict-of-interest rule.

I would hope that this would prove to be noncontroversial.

With that, I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I would like to tell the gentleman I really see what he's getting at here. And I do think that some of his ideas have merit because of the revolving door appearance of—and in reality probably in some cases preconceived opinions. But I think that if a person is qualified to lead an agency, if a person is qualified to be the Secretary of the Treasury, Chairman of the Federal Reserve, Director of the CFPB, Chair of the FDIC, Comptroller of the Currency, Chairman of the SEC, and there are 10 members on this board, that if we agree to this amendment, we might be narrowing the scope of really talented and qualified people.

I think the vetting process—all of these folks have to be nominated and confirmed by the Senate. I think that any conflicts of interest or possible conflicts of interest could be vetted through the confirmation process.

I think by disqualifying some folks, I think that it, as I said, I think we might miss some good talent. We might chase away folks that have good ideas and vibrant ideas in the area of finance.

With that, I would oppose the gentleman's amendment.

Mr. DEFAZIO. Will the gentlewoman yield?

Mrs. CAPITO. I yield to the gentleman from Oregon.

Mr. DEFAZIO. I think there is a misunderstanding.

They can serve on the board. It's just that if a proposal comes up that directly affects their previous employer and they have been on the board less than 2 years, they would have to sit out that particular vote. They can serve and vote on any and every other procedure, but just not on that particular thing. It's a very restrictive conflict of interest rule.

Mrs. CAPITO. I thank the gentleman for the clarification. I didn't address that in my statement, and you're absolutely right. But I would just continue to oppose the gentleman's amendment.

I yield back the balance of my time.

Mr. DEFAZIO. Mr. Chairman, obviously we've straightened out that misunderstanding, that the folks could serve.

Now let me just harken back to something where I think many of my Republican colleagues agreed with me. I voted against the TARP bailout. Hank Paulson, as I said at the time, I think he was Goldman Sachs's executive standing in as Secretary of the Treasury and meting out justice to some of his competitors in terms of who lived and who died on Wall Street.

So I would think there would be agreement on that side that for future conflicts of interest that these people would be restricted only on that one vote, only as it affects their former employer, only within the last 24 months.

□ 1700

I yield the balance of my time to the gentleman from Massachusetts.

The Acting CHAIR. The gentleman is recognized for 2½ minutes.

Mr. FRANK of Massachusetts. First, the gentleman is correct. I would just note my disagreement with his statement on Secretary Paulson.

But more important, I was struck by the fact that the gentlewoman from West Virginia stood up and opposed the amendment. The gentleman from Oregon then pointed out that her basis for opposing the amendment was incorrect; whereupon the gentlewoman from West Virginia said, Never mind, but I still oppose it, with a less than eloquent explanation. So I think that's unfortunate.

And part of my problem is, I didn't get a chance to talk fully about this rule. This is a terribly unfair rule. I asked the chairman of the Rules Committee yesterday if we could have more time to debate. Not all the amendments were of equal importance. We had the very important amendment by the gentlewoman from Texas to talk about two-thirds versus a majority. This is an important amendment about conflict of interest. We had a very important amendment coming up from the gentlewoman from New York about the powers.

It is outrageous that the Rules Committee said, You only get 5 minutes on each side on each amendment. And the chairman of the Rules Committee—he's a magnanimous fellow—he said to me when I asked, he said, Well, you know what, you can go get a unanimous consent agreement to extend it, which meant he was not suspending the rules of the House. I approached the other side, and I was told—not by the chairman, who has been very gracious in all of this—that the Republican leadership wanted to hurry this bill up.

So we have very fundamental issues not being adequately debated, and this is one of them. I have some differences with the gentleman from Oregon about what I think happened during the TARP. But to have only 10 minutes on this?

And then, frankly, for the chairman of the subcommittee to be so dismissive of a valid amendment, to say, Here's why I am against it, because her staff probably didn't read it before they wrote it, and they gave her the wrong reason, and then she just said, Well, I'm against it because I'm against it. That's an inappropriate way to deal with this serious issue. And it

reinforces my view that what we have here is this:

Last year, every single Republican opposed an independent consumer agency, in principle. They now come forward with efforts that would substantially weaken it, that everybody who does support it opposes. And they say, Oh, no, we're not opposed to it. We're just trying to change it.

The gentleman from Oregon has a perfectly reasonable point. I cannot understand, other than simple partisan rigidity, why it would not be accepted. So I thank the gentleman, and I'm sorry we do not have a more civil atmosphere in which to discuss this.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DEFAZIO. 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 gentleman from Oregon will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. PAULSEN

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–172.

Mr. PAULSEN. Mr. Chairman, 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 1, line 6, strike ''Section'' and insert the following:

(a) IN GENERAL.—Section

Page 1, after line 12, insert the following:

(b) PETITION BY NONVOTING MEMBERS; NO RESTRICTIONS ON PETITION SUBJECT MATTER.—Section 1023 of the Dodd-Frank Wall Street Reform and Consumer Protection act is amended by adding at the end the following new subsection:

''(g) PETITION BY NONVOTING MEMBERS.—Notwithstanding any other subsection of this section, the provisions of this section shall apply to a petition by a nonvoting member of the Council to the same extent that they apply to a petition by an agency represented by a member of the Council.

''(h) NO RESTRICTIONS ON PETITION SUBJECT MATTER.—Petitions made under this section may be made by an agency or a nonvoting member of the Council on any subject matter, regardless of the areas of particular expertise of such agency or nonvoting member.''.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. PAULSEN. Mr. Chairman, I rise to offer this amendment really to help ensure that we maintain prudent regulation of the financial services industry. Under current law, there are five nonvoting members of the Financial Stability Oversight Council, including a State insurance regulator and a State bank regulator.

This amendment really seeks to ensure and clarify that these regulators on the Financial Stability Oversight Council, who do not have voting rights, still have the authority to challenge any regulations that are put forth by the Consumer Financial Protection Bureau. For example, while it's clear that the CFPB does not have the authority to regulate insurance, it could put forth a regulation that actually negatively impacts the industry and the economy. So it just makes sense that all the members on the council have the ability to consider the impact that these new rules may have.

Therefore, by clarifying that any member of the Financial Stability Oversight Council may question any regulation and bring that up for clarification and clarify the rights of the nonvoting members, I am seeking to improve the oversight on the CFPB.

I ask for adoption of the amendment.

I reserve the balance of my time.

Mr. AL GREEN of Texas. I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. AL GREEN of Texas. I yield 2½ minutes to the gentleman from Maryland (Mr. CUMMINGS) and reserve the right to close.

Mr. CUMMINGS. I thank the gentleman for yielding.

I rise in opposition to the amendment, and I rise in strong opposition to this bill.

This misguided legislation seeks to destroy the Consumer Financial Protection Bureau on its birthday, before it even has time to take its first breath, out of fear that the interests of consumers—our constituents, by the way—may finally have a voice here in Washington. I would note that the CFPB is the only Federal agency that can have its regulations vetoed by other banking regulators serving on the Financial Stability Oversight Council, and this bill would make that veto process even easier.

Among other destructive provisions, H.R. 1315 would exclude the director of the CFPB from serving as a voting member of the FSOC, which would make the director the only banking regulator without a seat on the council.

The CFPB is one of the most important creations of Dodd-Frank because it is the very agency focused on ensuring that the consumer protection products made available in the marketplace will not lead families into economic ruin. Rather than attacking this agency, which is intended to defend the rights of consumers and protect them from predatory practices, we should be standing with the consumers, our constituents, and protecting them from financial entities that would take advantage of them.

Last week, I convened a forum to examine the abuse that servicemembers are suffering at the hands of mortgage servicers. Thousands of U.S. military servicemembers and their families have lost their homes, been charged millions of dollars illegally, and have been subjected to other abuses in violation of Federal law. The CFPB was created precisely to help Americans such as these, our constituents.

I urge the Members of Congress to stand on the side of their constituents by supporting CFPB, and I urge Congress to vote for their constituents by voting against this bill.

Mr. PAULSEN. Mr. Chairman, I know the gentleman was speaking earlier in opposition to the bill, and perhaps there is no opposition to the amendment.

I have no further requests for time, and I yield back the balance of my time.

Mr. AL GREEN of Texas. Mr. Chairman, this amendment is indicative of why we are in opposition to much of what is being said today. This amendment assumes that there is some sort of onerous regulation or some sort of invidious discrimination that has taken place within the CFPB when, in fact, the CFPB has not issued one regulation, not one. And because it has not issued one regulation, one can only assume that much of what is happening today is onerous speculation and invidious prognostication because there seems to be this notion that this agency is going to be harmful, but it hasn't done one thing. There is this concept of throwing out the baby with the bathwater, but there is no bathwater. There is no bathwater to throw out because the baby hasn't done anything.

The CFPB has done absolutely nothing, and we are now trying to overregulate it before it has an opportunity to pass a single regulation. It was not the CFPB that created the crisis. It did not create 3/27s and 2/28s. It did not create prepayment penalties that coincide with teaser rates. It did not create negative amortization. It did not create the dastardly yield spread premium which allowed people to qualify for prime mortgages and be forced into subprime mortgages. The CFPB has done nothing. It is an effort on our part to make sure that many of the onerous actions that took place, that caused us to be in the position that we're in, that these actions cannot happen again.

I stand in opposition to this amendment. I also stand in opposition to the bill because the bill would weaken the CFPB to the extent that it can't do what it is intended to do, and that is protect consumers. Somebody, some agency ought to stand there for consumers. This agency is that agency. It's the watchdog. We do not need a watchdog without any bite. Let's keep the bite in the CFPB. Let's make sure that it can protect consumers and make sure that we don't get the products back on the market that we had before.

This amendment would allow persons who are on the board, who do not have a vote to petition, in a sense, they

would become empowered by this ability to petition, even if it doesn't impact the industry that they happen to represent. I stand in opposition to it. I think the CFPB, as presented, is the best way for us to proceed.

The Acting CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

□ 1710

AMENDMENT NO. 5 OFFERED BY MR. MILLER OF NORTH CAROLINA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–172.

Mr. MILLER of North Carolina. Mr. Chairman, 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 1, line 14, strike ''Section'' and insert the following::

(a) IN GENERAL.—Section

Page 3, after line 2, insert the following:

(b) SPECIFIC DISCLOSURES REQUIRED.—Section 1023(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new paragraph:

''(3) SPECIFIC DISCLOSURES REQUIRED.—With respect to the regulation or provision that is the subject of a petition an agency files with the Council under this section, the agency shall publicly disclose, at the time such petition is filed—

''(A) an analysis of the practice that is the subject matter of such regulation or provision; and

''(B) a list of any specific financial institutions whose safe and sound operation the agency believes would be placed in jeopardy due to such regulation or provision.''.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chair, it is simply not true that we all here want to protect consumers; we just have an honest disagreement about the best way to do it.

This bill really cripples the ability of the CFPB to be an effective watchdog for consumers. And the way that it does it, probably the most harmful part of the bill, is the veto power, the greater veto power it gives the Financial Services Oversight Council and the way that that council has to exercise that veto.

Here is what the CFPB has to do to pass a rule in the first place. First of all, they cannot require any financial institution to do anything. They can't say, You have to give people this mortgage or this credit card contract. They can just forbid. They can say, You can't use this contract, this mortgage, this credit card contract because this cheats people. They cannot require; they can only forbid.

And before they forbid, before they pass a rule that says, You can't do that because it cheats people, it abuses people, they have got to consider all the benefits to the consumers that might come from that, as well as to the financial institutions that offer it. They've got to consider whether it really reduces the ability of consumers to get credit, and they've got to consider the effect on the financial institutions, and they've got to consult with all the other regulators whose business it is to make sure that the financial institutions don't go broke. And then they've got to publish it. They've got to let people comment. They've got to build evidence. And if they don't have support for the rule, it can be turned over by a court.

But even before it goes to a court, it goes to this panel, this Financial Stability Oversight Council, and it can be vetoed if they decide that it threatens the stability of the financial system or the safety and soundness of the banking system.

This bill changes it and says, not just that they can overturn it, but they have to overturn if it threatens the safety and the soundness of financial institutions; in other words, if it would make specific banks go broke.

Some banks, I agree with what the gentleman from Wisconsin has said repeatedly, most small banks, most credit unions have had honest business practices. But there are some sleazy ones out there, and we saw what they did in the last decade.

Under the bill, as it is written, if one of those banks comes forward and says, Unless we can do this sleazy thing, we're going to go out of business, the Financial Stability Oversight Council has to disallow it if it would put them out of business.

Mr. Chairman, some of those banks, some of those sleazy, scuzzy banks need to be out of business. If the only way they can stay in business is by cheating consumers, they should be out of business. But this bill would not allow that to happen. A consumer protection rule could not go into effect if it put specific banks out of business. That's an enormous change, and it cripples the ability of the CFPB to be an effective watchdog for consumers.

What this amendment does is, if any one of those prudential regulators, those watchdogs that are supposed to make sure the banks don't go broke is going to challenge any rule of the CFPB, they have got to say exactly how they think it would threaten the safety and soundness of the financial institutions, make a bank go broke, and they've got to say who they are, who is this rule going to put out of business. Because the American people are entitled to know if this agency, this FSOC, the Financial Stability Oversight Council, is acting on behalf of the American people and on behalf of the consumers or if they are protecting sleazy banks that stay in business whose whole business model is cheating consumers.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. Mr. Chairman, I think I understand the gentleman from North Carolina's amendment. But I would like to just start, in the 5 minutes that I have, to remind everybody who is on the council that is going to be able to allow sleazy financial products to go forward to save the safety and soundness of an institution. That's what the gentleman said.

So we've got the Secretary of the Treasury. We've got the Chairman of the Federal Reserve, the Director of the CFPB, who is the person who is making the regulations, Chairman of the FDIC, Comptroller of the Currency, Chairman of the NCUA, Chairman of the SEC, Chairman of the CFTC, Director of the FHFA, and an insurance representative. That's 10 people, professional regulators that are working in certain areas of the financial markets overseeing our financial stability. It's not Tom, Dick, and Harry off the street trying to figure out if a certain provision, sleazy provision should be allowed to go forward. And I think, in order to convince these folks, or to put your argument forward as to why the rule or regulation would harm the safety and soundness of an institution, I would imagine that these professionals would require much due diligence and proper background work, probably touching on some of the things the gentleman's already talked about, who would be influenced and an analysis of the practice that is the subject matter of the regulation or provision.

I think that the standard is high in any scenario. Certainly, it's impossible in the existing bill. But in Mr. DUFFY's bill, which brings the standard down more in line with protecting community banks and credit unions and other institutions on Main Street and the consumers that so rely on them, that, I think, really this amendment just further complicates, places in jeopardy, I think, makes it more cumbersome, more impossible to meet a standard where the FSOC would be able to oversee a certain rule and regulation.

So I would oppose the gentleman's amendment.

I reserve the balance of my time.

Mr. MILLER of North Carolina. Mr. Chairman, one of the changes that doesn't sound like it does much but really does is when you change the word ''may'' to ''shall.'' Not only can this FSOC overturn a rule when they think it might affect the safety and soundness of the system, they have to overturn it. They have to overturn it if they think it's going to put a specific bank out of business. That's not a small change. That's not a high standard. That is a very low standard, and it is one that completely cripples the bill.

I yield the balance of my time to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I would say to my friend, and I thank him, if somebody had put Countrywide out of business, we'd have been in good shape.

But the bias of the Republicans here against consumers and for the banks is very clear. A later amendment will require the consumer bureau to submit very much this kind of information to the Financial Stability Council. So it's not reciprocal.

If the consumer bureau, under their amendment, has a rule or regulation that it has to give all this information to the council but nobody else does, it is one more example of how the consumer bureau is not at all that favored.

Mrs. CAPITO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MILLER of North Carolina. 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 gentleman from North Carolina will be postponed.

□ 1720

AMENDMENT NO. 6 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–172.

Ms. JACKSON LEE of Texas. Mr. Chairman, 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 2, line 12, after the semicolon insert ''and''.

Page 2, strike lines 13 through 20 (and redesignate the succeeding subparagraph accordingly).

The Acting CHAIR. Pursuant to House Resolution 358, 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. My friends are back again, those that we have a great deal of respect for. And I am reminded of my colleague, Congressman CUMMINGS, who mentioned the enormous amount of foreclosures that our military families experience.

Maybe we're not clear on what our new board really does, the Consumer Financial Protection Bureau. Let me make it clear. It makes prices clear; it makes terms and conditions clear; it ensures that mortgage disclosures are short, relevant, and understandable by consumers and lenders and military families; it lets consumers shop for the best product of that price; and it helps consumers understand the true cost of a financial transaction. It acts like a cop on the beat for our consumers. The Financial Stability Oversight Board has its role—to review the actions.

But let me tell you what this bill has just done. In the Dodd-Frank bill, it has been a defined time schedule for the review to take place. So if you are, in essence, hanging with a bad foreclosure or some bad actions, this oversight board can review quickly the decision that the consumer board did to protect you. But you know what has happened now? They have given the oversight board an indefinite amount of time. This is in the backdrop of undergraduates carrying record-high credit card balances, $3,173.

What my amendment does—it restores reality. It restores a definitive time, a time certain that the oversight board can review the regulation that has given you relief so that you can benefit from the consumer protection. Is that not a simple premise?

I ask my colleagues to accept this amendment.

Mr. Chair, I rise today in support of my amendment, number #3 to H.R. 1315, the Consumer Financial Protections and Safety Act. My amendment will improve certainty with respect to Bureau of Consumer Financial Protection (CFPB) regulations by restoring current time limits in which the Financial Stability Oversight Council (FSOC) must review and act on a petition to overrule a CFPB regulation, and restores a provision allowing a petition to expire if the FSOC fails to act within 45 days of the filing of the petition or upon expiration of a temporary stay.

Under my amendment the FSOC chair may stay the effectiveness of a regulation at the request of a single FSOC member for 90 days. If the FSOC chair does not stay the rule, the FSOC must vote within 45 days of the date the petition is filed. If the FSOC stays the rule, the vote must be taken before the stay elapses. If a vote is not taken within these time frames, the petition is deemed to have been dismissed. This is a basic and reasoned approach to ensure that rules issued by the CFPB are reviewed in a timely fashion by the FSOC and will not result in an endless delay and an endless issuance of stays which would thereby render any CFPB rule ineffective.

Providing the FSOC with unlimited time to review CFPB regulations is yet another way in which this legislation undermines the authority of the CFPB and the necessity for consumer protection standards.

CFPB regulations enacted by the bureau are designed to protect the average consumer from fraud and abuse, and prevent financial institutions from employing unfair practices. This legislation would allow the Financial Stability Oversight Council to review regulatory measures passed by the CFPB without any time constraints. Under H.R. 1315, the FSOC can avoid making decisions, suspending CFPB regulations in the process, providing the FSOC with a method to circumvent the authority of the CFPB without being held accountable.

A strong and independent CFPB is the only way to ensure that the best interest of the consumer is protected. This bureau was designed to increase transparency and equality in mortgage practices, credit card procedures and other consumer services.

The collapse of the housing market in 2008, and the financial crisis that followed proved how intertwined our financial system is. When securities collapse, due to failing mortgages, credit becomes scarce and companies lay employees off. Losing a job and prolonged unemployment can lead to the loss of one's home. In order to truly safeguard against the irresponsible practices that led to the financial crisis of 2008, we need an agency, such as the CFPB, to ensure that consumers are protected.

It will protect consumers like Charles, who was forced to seek a loan from a small, private lending company he had never heard of. The company required a cosigner for the loan, and stipulated the cosigner had assets worth far more than the loan.

When Charles defaulted on the loan, the company went after his cosigner and his assets from the successful small business he owned. Despite efforts to modify the loan based on Charles' unexpected economic circumstances, the lender targeted his cosigner, resulting in devastating effects to his credit rating.

The predatory loan company went as far as to assign Charles a new loan to cover his debt, using the same cosigner, despite knowing that Charles had no way to pay either of the loans, effectively ruining the credit of both Charles and his cosigner.

If the FSOC is able to indefinitely delay the implementation of CFPB rulings, it greatly reduces the effectiveness of the bureau, and weakens the Dodd-Frank mechanism for consumer protection. We need this Bureau to safeguard the interests of consumers like George, a disabled veteran from Texas, whose doctor helped him apply for loan discharge, under the Disability Act.

A 100% disabled veteran, extenuating circumstances caused George to default on his loan; regardless, his request for loan discharge was denied. As a result of being denied a discharge, George, a registered nurse was not able to renew his nursing license. Which left George without a nursing license and thereby without a license he lost his ability to maintain a nursing position. A job as a nurse would have allowed George to have an income in order to pay back the loan. George found himself in a viscous cycle. George, a man who has honorably served his nation. A man who was wounded in battle . . . that George now a man who cannot pay his loan, cannot attain a license, and cannot find a high paying position. If George was educated on the consequences' of taking out a loan . . . he might have made a different choice. The Bureau gives financial consumers a frame of reference before agreeing to often confusing and convoluted loan schemes.

The CFPB would also prevent predatory companies from taking advantage of people like Carol. One day, while cleaning her home, Carol received a phone call from a debt management company. This company told Carol that they would be able to get her creditors to lower their interest rates, which would allow Carol to pay off her credit card, mortgage and car loan debt in a shorter frame of time.

Carol was told she would save at least $2,500 and would save much more. Carol was skeptical, especially when she heard the price was $499, but the salesperson assured Carol she would see lower interest rates within the first 30 days of the program and that these

savings would more than cover the fee. The company kept the initial fee, and drove her further into debt by doing nothing to attempt to find solutions to pay her existing debt. She had fallen victim to a scam.

I offer this amendment to ensure that the CFPB exists to enforce regulations to protect consumers, rather than an ineffective body that is used as a tool for political grandstanding. If we are serious about providing the American people with a protection mechanism, we must do so by way of action, not by telling the public what they want to hear.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. What we have done in our bill, as the gentlewoman said, is to give the FSOC as much time as necessary to evaluate the effects of the CFPB rule.

It's easy to imagine, under any scenario, that some of the effects, good effects or bad effects, take more than 3 months to really surface. I mean, we saw what happened with the subprime issue. It didn't bubble up in 90 days. It bubbled up over a period of time. Should it have been stopped? Absolutely. Were people asleep at the switch? Absolutely. And that's why we think that you should have not constraints on the time, but you should have an open-ended time period to find out any different pitfalls that may occur from a certain rule and regulation. And so that's why I would oppose the gentlelady's amendment going back to the 90 days.

I reserve the balance of my time.

Ms. JACKSON LEE of Texas. I have great respect for my friend from West Virginia, but I'm so glad she said 90 days. My friends, that is 3 months. They want to take away 90 days and put it forever. Almost like Dorothy, we're going to the Wizard of Oz, land of Oz, forever and ever and ever.

And so individuals like Michelle, whose home was damaged during the hurricane, who got costly repairs but had wage cuts and then found that their house might be in foreclosure, they sent a company $1,400. The company told them there was nothing they could do and they were foreclosed on. The Bureau, being able to protect them from that now, has oversight over positive regulation, and that oversight to review it or to eliminate it goes on and on and on while Michelle and her husband walk the streets.

Or Jacob, who wanted to just come as a retired mechanic to buy a CD. He wanted to speak to a financial advisor. He was talked into buying a $3,000 upfront fee. The man he talked to wasn't even in the bank. He only made $25,000. He wound up losing $12,000. They want Jacob to wait forever and ever and ever.

I reserve the balance of my time.

Mrs. CAPITO. I appreciate the gentlelady's passion for this. And I would like to say that as the 90-day rule stands right now, it doesn't say that the rule can't go forward. It simply says that the ability to have a look back to what consumer rules or regulations are put forward, it widens the window there.

So some of the effects of rule and regulation that may, as I said earlier, may not bubble up for a year or two, it may have a cumulative effect, it may have a regional effect. I mean, we have friends in Georgia right now who have had a lot of bank foreclosures. It's more regionally placed, all the foreclosure problems.

I live in a place, actually, where we avoided a lot of the foreclosure problems, but I understand my fellow Members from California and Florida and Texas and Michigan and Ohio, they have regional issues. This doesn't say that you can't allow the rule to go forward. It simply says that it allows you to look back for a longer period than 90 days.

Mr. Chairman, I yield back the balance of my time.

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

I'm asking my colleagues to support this amendment, which restores a 3-month review. There are people in America that don't even know what their interest rates are on their credit card. The Consumer Protection Bureau will help that. We need oversight that is refined and defined to be able to protect the consumer.

With that, I yield the balance of my time to the gentleman from Massachusetts (Mr. FRANK), the ranking member.

The Acting CHAIR. The gentleman is recognized for 1½ minutes.

Mr. FRANK of Massachusetts. Once again, we see this pattern.

The gentleman from New Jersey objected before and said I am imputing motives to them. Yes, I was imputing to them the notion that they knew what they were doing last year when they overwhelmingly, unanimously opposed an independent agency. I don't know who's kidding whom. They don't like the idea of an independent agency. They do know that politically it's kind of popular, so the tactic is to chip at it here and chip at it there and to do a series of nonreciprocal requirements.

It is clearly the stepchild, the Cinderella of the financial regulators. It's the only financial regulator that can be overruled by the other financial regulator.

They say, How can you have an individual entity? But Members have been here 20 years, and comparable times they have never moved to make the Comptroller of the Currency a commission. They've never moved to subject the Comptroller of the Currency to the appropriation. The consumer chief is just like the Comptroller of the Currency, but that's a banking agency. That's one of those agencies that the chairman of the committee says is there to serve the banks. And as he said in his statement today, they don't worry about the Federal Reserve and the FDIC—with the terrible record the Federal Reserve has had on consumer protection. He said, the chairman of the committee from Alabama, we are worried about an agency whose sole goal is to protect consumers.

So this is one more thing. When it comes to other agencies, my colleagues on the Republican side want to impose deadlines, want to require speed, don't have it hanging over. But, no, the consumer agency is treated differently.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. CAPITO. 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 Texas will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–172.

Mr. QUIGLEY. Mr. Chairman, 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 3, line 2, after ''servation.'' insert the following: ''The Council shall provide live online streaming or broadcasting of the meetings.''.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

□ 1730

Mr. QUIGLEY. Mr. Chairman, I rise today in support of my amendment to H.R. 1315.

The underlying bill requires that when the Financial Stability Oversight Council meets to deliberate on a CFPB ruling, those meetings would be open to the public.

My amendment takes that one step further and would require that the meeting be live-streamed over the Internet. If what we are concerned about here is transparency and openness, it makes sense that the entire American public have access to these meetings over the Internet, not just people in one city.

This is important to both supporters and critics of the CFPB. If a CFPB ruling is challenged by the FSOC, Americans should be able to observe the proceedings. My amendment will do just that. It makes the proceedings more open, transparent, and accessible. Transparency will help ensure that all parties—banks and consumers—get a fair hearing.

It is also important in terms of regaining the public trust, especially in these times. According to a Pew poll, only 22 percent of Americans trust government to do the right thing. What does that mean? That means that eight out of 10 people in this country think that government will do the wrong thing. The real cost of corruption is the deficit of trust. It is almost impossible to lead without the public's trust. What we need to focus on first and foremost is regaining that trust, principally through transparency. Therefore, I ask that this amendment be supported by both sides.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I claim the time in opposition, but I am not opposed to the gentleman's amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would like to congratulate the gentleman on an amendment that provides for sunshine and transparency. When we did the markup, we actually had another amendment along the same lines. I would support the gentleman's amendment.

I yield back the balance of my time.

Mr. QUIGLEY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. CHU

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–172.

Ms. CHU. Mr. Chair, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, line 17, strike ''and''.

Page 6, line 22, strike the period and insert ''; and''.

Page 6, after line 22, insert the following new subparagraph:

''(D) researching and reporting to the full Commission about ways to protect consumers from unfair, deceptive, or abusive lending acts or practices, including how language barriers contribute to lack of understanding in lending activities.''.

The Acting CHAIR. Pursuant to House Resolution 358, the gentlewoman from California (Ms. CHU) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. CHU. Mr. Chairman, my amendment would give additional responsibility to the Commissioner who is already in charge of oversight of the Bureau's activities pertaining to the protection of older consumers, minorities, youth, and veterans. It would require research on how language barriers can lead to unfair and abusive lending practices, and a report to the full Commission on ways to protect consumers from potentially unfair and deceptive practices.

Take the case of Ms. Huang, who went to a car dealership and negotiated a car sale with a salesperson in Chinese. But then when she went to sign the contract, it was totally in English, and she didn't understand it. When she got it translated later, she discovered that she bought a different car with an extremely high interest rate. She went back to the car dealership for redress, but they refused. She was so upset that all she could think of to do was go back to the dealership and wrap herself in a white sheet and hold a sign that said ''Cheaters'' and walk up and down in front of the dealership in protest. Well, that gained attention. It turned out that many other immigrants had been cheated in this manner as well, so I sponsored a bill in the California State Assembly to address these deceptive practices. But that is just one State and one small fix.

Now I know that the Consumer Financial Protection Safety and Soundness Act does not include oversight of automobile loans, but Ms. Huang's story highlights how persons with language barriers can be victims of deceptive practices. We need someone on a national level looking out for people like Ms. Huang and staying on top of ways people are being duped because of language barriers. And that is just what my amendment will do.

I urge support of my amendment.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Chairman, I claim time in opposition, but I am not opposed to the gentlelady's amendment.

The Acting CHAIR. Without objection, the gentlewoman from West Virginia is recognized for 5 minutes.

There was no objection.

Mrs. CAPITO. I would like to thank the gentlewoman for her amendment.

I would like to also highlight, in the Dodd-Frank bill, and I'm sure she is well aware of some of the provisions that are already being made through the CFPB for multilingual outreach and understanding.

During a conference call with a large number of bipartisan congressional staff, the senior officials at the CFPB indicated that the Bureau would have the capacity to translate into 180 languages. That is a very broad reach, I think. And there are other foreign language disclosures outreach by the Secretary of the Treasury to help persons facing language barriers and other aspects around the same issue that the gentlelady is speaking about.

I am delighted that she wants to amend the Commission because, as we know, and I have spoken more than a few times on this in just the last several hours, about my ardent support for the Commission. There is one Commissioner who is charged with overseeing some special segments of our population, and certainly ones who have language barriers would be included in this.

I yield back the balance of my time.

Ms. CHU. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. I appreciate the gentlelady from West Virginia making a very important point, seriously, talking about the multilingual aspects, because an important bipartisan part of our committee's work over the years, and we've had some differences, but the gentlewoman from Illinois (Mrs. BIGGERT), the gentleman from Texas (Mr. HINOJOSA) and a number of others have stressed an important part of this Agency's mission is financial literacy.

We all agree that if people were better educated, they could defend themselves better. This is an ongoing, joint effort on our committee. And obviously, if you're trying to do financial literacy, it has to be in a language that the people understand. So I appreciate the gentlelady highlighting that, and it does help us do it.

I would note, and I think the gentlewoman from California is quite correct in wanting to do this, but you don't need a commission to do it. If there wasn't a commission, we could do it with various agency heads. For example, there has been some concern about making sure that veterans are taken care of and people in the military. One of the things that Elizabeth Warren did, and she did a number of extraordinary things, and I don't know if people are aware of the head of the military Bureau that protects members in the services, a very experienced woman from the military named Holly Petraeus, the wife of General Petraeus. That's an example of how you can do these things.

So the principle that the gentlewoman from California advocates is a very good one, and I'm sure we'll find a way to accommodate it. I thank her.

Ms. CHU. Mr. Chairman, I would like to say that this does not create any overly burdensome responsibility. Instead, it supports the goal of the legislation. It protects those persons who might be the victims of such unfair and deceptive practices.

What this does is clarify that this specially designated Commissioner would take into account how language barriers might be impacted by such abusive practices, and it makes sure that that is done.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. CHU).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MRS. MALONEY

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112–172.

Mrs. MALONEY. Mr. Chairman, 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 15, line 17, after ''section,'' insert the following: ''except for subsection (e),''.

Page 15, line 23, strike the quotation marks and following period and insert after such line the following:

''(e) FUNCTIONS TO TEMPORARILY BE CARRIED OUT BY THE SECRETARY.—Notwithstanding subsection (d), if no Chair of the Commission of the Bureau has been confirmed by the Senate as of the single calendar date designated for the transfer of functions to the Bureau under section 1061, then until such time as the Chair of the Commission of the Bureau has been so confirmed, the Secretary of the Treasury shall have the authority to carry out the following functions:

''(1) All rulemaking authority with respect to unfair or deceptive acts or practices that would have been conferred upon the Bureau on the designated transfer date, but for the application of subsection (d).

''(2) All authority to carry out examinations of nondepository covered persons that would have been conferred upon the Bureau on the designated transfer date, but for the application of subsection (d).

''(3) All functions of the Bureau under this subtitle that would have been conferred upon the Bureau on the designated transfer date, but for the application of subsection (d).''.

The Acting CHAIR. Pursuant to House Resolution 358, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. MALONEY. Mr. Chairman, I rise in support of my amendment to H.R. 1315, which will transfer all authority that the CFPB would receive to the Secretary of the Treasury if no Commission chair is in place by July 21 until such time as the confirmation by the other body.

There is no more blatant effort to derail the consumer protections than the section of this bill that delays the full transfer of authority that the CFPB would have to protect consumers until a Director is in place.

Under the Republican bill, the Bureau would not be able to do anything starting today, even write rules under the existing consumer laws as Dodd-Frank envisioned. As we know, there are 44 Republican Members of the other body that have indicated in writing in a letter to the President that they will not vote to confirm anyone unless President Obama bends to their demands that would weaken the CFPB.

The Republican bill is not about improvements; it's about preventing the CFPB from effectively operating. This week, the President nominated former Ohio Attorney General Richard Cordray to be the CFPB's first Director. He is now the Director of enforcement there, and will bring a voice for State AGs to enforce consumer laws. I hope that the other body will act on his nomination as soon as possible, but we know that there are 44 who say they will not confirm anyone. I do not believe that consumers should have to wait for this process to go forward. They should be protected today.

My amendment says that if they are going to delay the ability of the Agency to protect consumers, at least give that authority to the Secretary of the Treasury until a Director is confirmed to head the Bureau. Now, many of my colleagues on the other side of the aisle have indicated their concern that there is no one officially at the helm; then let Treasury have that authority until a Director has been confirmed so that it can begin to go forward with the protections that Dodd-Frank envisioned.

□ 1740

This includes the authority the bureau is set to receive today as well as the new supervisory authority for nonbank financial institutions and new rulemaking under unfair, deceptive, and abusive practices. Consumers should not have to wait any longer. My amendment will ensure that work can begin to advance the important mission of the CFPB.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mrs. CAPITO. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from West Virginia is recognized for 5 minutes.

Mrs. CAPITO. I am opposed to the amendment offered by the gentlelady, my ranking member. We work really well together, I think, on the subcommittee. We obviously have differences, and this is one.

The portion of the bill that she's talking about is actually the portion that I created. It was really a creation of a couple of months ago. Probably in April, I began to think to myself: The President hasn't made an appointment to the marque bureau to protect consumers, and he's had almost an entire year to do this. The handwriting was going to be on the wall in terms of trying to get a Senate confirmation. Certainly, you're not going to get one in 4 days, which is what he tried when he nominated somebody on Monday, finally.

So the thought for me is that we have enormous powers vested in one individual. The bill was written to have them. The minority leader was down here saying the oversight that is provided by Senate confirmation is the Congress's stamp of approval of the direction this individual wants to take this bureau. Yet, we have a situation where we have a President who's waited an entire, let's see, 361 days before making an appointment, and we're in a position where we're going to have an acting or recess appointment with a very powerful position without any input or oversight in the nominating process that moves forward and is vested in the United States Senate.

I just think that's a problem. I think that the President had had due time to accomplish this, and we're going to say to the Treasury Secretary, We're going to give it to you. Quite frankly, I think the Treasury Secretary is pretty busy right now dealing with debt limit issues and trying to solve other problems that we have in front of us financially. Our economy, we have 9.2 percent unemployment. We've got to get the wheels turning here, and I'm sure that's where the Secretary is putting his energy, appropriately so.

I just think that this is an agency that's starting with one hand tied behind their back because of the fault of the chief executive who has not appointed a person that could seek and get Senate confirmation, and I think that without that person, with the oversight of a Senate confirmation, taking the reins of this very powerful bureau that's just been created, we would be getting off on the wrong foot.

I would oppose the gentlelady's amendment.

I yield back the balance of my time.

Mrs. MALONEY. May I inquire as to how much time remains?

The Acting CHAIR. The gentlewoman has 2 minutes remaining.

Mrs. MALONEY. Well, first of all, the President has made an appointment, and he confronts a threat by 44 Members of the other body who say they won't confirm anyone unless the powers of the CFPB are diminished and it's de-fanged and weakened. Consumers should not have to wait for a political confirmation process that the Republicans in the other body have vowed that they're going to hold up. They should be able to move forward with these critical protections and go forward.

I must tell you that the American public is fed up with the delays and the efforts by the other body to prevent consumer protections. If we had had a CFPB in place, we could have prevented the financial downturn in 2008 which caused the high unemployment that the gentlelady is concerned about.

The CFPB is carefully constructed, urgently needed, and should be allowed to go forward to protect consumers. My amendment will allow that to happen. I urge my colleagues to support it.

I yield to the ranking member.

Mr. FRANK of Massachusetts. Being lectured by a member of the Republican Party on the importance of confirmation at the CFPB is like being lectured about birth control by the Octomom. Forty-four Republican Senators have outrageously announced they will not do their constitutional duty and they will confirm nobody, no matter how good, until we agree to weaken the agency.

So what we have is a perfect double play here between House and Senate Republicans. Senate Republicans say we will confirm nobody, House Republicans say the agency won't function until you get a confirmation, which the Senate Republicans have refused to do.

I wish the President had appointed someone earlier. I'm critical of him for not doing that. But I don't want to punish the American people, the beneficiaries of this, by that failure to appoint earlier. By the way, with the Secretary of the Treasury having the authority until now, a lot has been done. Holly Petraeus was put there. A lot of other people were there. They've done some good stuff.

Let's not give in to the Republican blackmail in the Senate.

Mrs. MALONEY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. CAPITO. 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 New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I ask unanimous consent that my request for a recorded vote on amendment No. 3 be withdrawn.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Oregon?

Without objection, the request for a recorded vote on amendment no. 3 is withdrawn, and the amendment stands adopted by the voice vote thereon.

There was no objection.

AMENDMENT NO. 10 OFFERED BY MR. LANKFORD

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112–172.

Mr. LANKFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

SEC. 7. INSPECTOR GENERAL REPORT.

Section 1013 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new subsection:

''(h) INSPECTOR GENERAL REPORT.—

''(1) IN GENERAL.—Not later than February 1, 2012, and annually thereafter, the Inspector General of the Board of Governors of the Federal Reserve System and the Bureau of Consumer Financial Protection shall submit a report to the Congress containing the following:

''(A) A list of all new rules, guidelines, and regulations prescribed by the Bureau within the previous fiscal year, with corresponding detailed descriptions of each.

''(B) A detailed list of all authority which the Inspector General believes overlaps with the efforts of other Federal departments and agencies.

''(C) All administrative expenses of the Bureau, including the amount spent on salaries, office supplies, and office space.

''(D) The current amount in the Bureau of Consumer Financial Protection Fund.

''(2) PUBLIC DISCLOSURE.—The Inspector General of the Board of Governors of the Federal Reserve System and the Bureau of Consumer Financial Protection shall make each report submitted under paragraph (1) available to the public, including on the Bureau's website.

''(3) USE OF FUNDS.—The Inspector General shall carry out this subsection using existing funds.''.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Oklahoma (Mr. LANKFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LANKFORD. Thank you, Mr. Chairman.

I yield myself such time as I may consume.

Similar to Mr. QUIGLEY's amendment earlier—his amendment was to provide transparency at CFPB meetings—this amendment brings transparency to the regulatory process decisions, cost and staff structure.

Both parties want reliable information from the Inspectors General of every agency and of this bureau. Congress has a responsibility for oversight. That responsibility is not possible without good information. This will make the CFPB consistent with other agencies in oversight transparency.

Because this new Federal Bureau is within the Federal Reserve, we must provide, Congress, citizen watchdog groups and the general public with the tools for proper oversight.

The Lankford amendment will put in place a mechanism for bureau transparency. Specifically, this amendment would require the Inspectors General of the Board of Governors of the Federal Reserve and the Consumer Financial Protection Bureau to post online and submit an annual report to Congress each February 1 illuminating four key elements in the bureau's operations during the previous fiscal year:

Number one, a list of all new rules, guidelines, regulations prescribed by the bureau within the previous fiscal year with corresponding descriptions of each.

Number two, a detailed list of all authority that the Federal Reserve Inspector General deems in conflict with other Federal departments and agencies.

Number three, administrative expenses of the bureau, including the amount spent on salaries, office supplies, and office space.

Number four, the current balance at the Consumer Financial Protection Bureau, their fund itself.

As lawmakers, we have to have quality information at our disposal to conduct our constitutionally required duty of oversight. The report required by this amendment would provide Congress and the public a broad look into the operations of the bureau.

With that, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I rise in tentative opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. I could be persuaded as I would like to be, but I am the only speaker, and since I am defending the committee's position, I will reserve the balance of my time.

Mr. LANKFORD. I yield to the gentlelady from West Virginia.

Mrs. CAPITO. I would just like to tell the gentleman I support his amendment. I think it lends itself, again, to transparency and full accountability. I thank him for bringing it forward. Good work from the gentleman from Oklahoma.

Mr. LANKFORD. Mr. Chairman, I yield back the balance of my time.

□ 1750

Mr. FRANK of Massachusetts. I yield myself such time as I may consume.

Mr. Chairman, I appreciate the amendment. I've had a chance to think about it, and I am persuaded by its merits. I think this is a genuinely helpful amendment.

But I do want to take this opportunity in this 5 minutes to talk about broader issues, and I do so, I will say—I would not extraordinarily have done this, to take this 5 minutes in this way, but the rule was so outrageously stingy in refusing adequate debate time on some central issues that we have no option but to use this perfectly reasonable amendment as an opportunity to say what we were prevented by the rule from saying.

By the way, there's one part of the rule that should be mentioned that I didn't have time to talk about earlier. The regular order that my Republican colleagues promised has been beat up pretty good recently, and certainly by this rule.

The Congressional Budget Office says that their effort to expand the head of the consumer agency to a five-member commission will cost $71 million over the 5-year period. Now, that violates their CutGo rule, but they don't care that much about violating their rules when it suits their ideology. But they found an offset. What's the offset? The offset is a bill that the House already passed to save money from the Federal Housing Administration, the FHA.

So here's what they're doing. They're reaching back, and the rule retroactively merges the two bills. How's that for the regular order? It's a rule that retroactively takes a bill that already passed, saves money within the FHA, and instead of using that either for deficit reduction entirely or for easing people's ability to get housing, they use it to offset their extra bureaucracy here in this bill.

Beyond that, I want to talk again about the fundamental issues. Some on the Republican side have apparently undergone a conversion. I don't want to not take ''yes'' for an answer. Apparently they are now in favor of an agency that they vigorously opposed last year and the year before.

We had a special markup. The gentleman from Alabama incorrectly said he never voted against this. Well, someone claiming to be the gentleman from Alabama attended a markup when we voted on this in committee and voted against it, as did the gentlewoman from West Virginia, as did virtually everyone on the Republican side. Instead, they supported a substitute from the gentlewoman from Illinois which did nothing—well, I take it back.

It said that all the regulators could get together, plus the Secretary of Defense, the Secretary of the Treasury—I don't know who else—and they could set up a hotline for consumers and have a Web site, but any information taken in would go back to those same regulators.

So they have consistently opposed it, and that's why they're so wounded. How dare we say that they're not in favor of this agency? Because we were there when they tried to kill it, we there when they voted against it, and we understand that they don't want to see it go forward. They are prudent, however. They understand that it would not be a good idea to attack it head-on, so they're trying a sideways attack, most importantly by saying that the bank regulators—they wanted to leave consumer protection with the bank regulators. That was the Biggert substitute.

The FDIC, the Federal Reserve more than anybody else, because they're the key bank regulator of consumer affairs—I don't know who came up with that—they would put the bank regulators back in charge of this agency by letting them overturn by majority vote anything the agency does. They say, Well, we're just going back to where you were. No, we were never for that. In fact, we're totally reversing.

And now we have the amendment of the gentlewoman from New York, and the gentlewoman from West Virginia—you know, there's a children's book where somebody says, I can believe 10 impossible things before breakfast. Well, I'll give the gentlewoman credit for moderation. She only said one impossible thing before dinner. She said we must have a confirmation. Confirmation is important. She should tell that to her Senate colleagues. Forty-four Republican Senators, not the Senator from Massachusetts (Mr. BROWN) or the Senators from Maine, Ms. COLLINS and Ms. SNOWE, 44 of them, enough to filibuster, have said, We wouldn't confirm anybody.

So I hope someone will explain to me: How can the manager of the bill get up and say confirmation is important, we can't allow this to go forward unless there's confirmation, we won't allow the powers to go forward unless there's conformation, knowing that there can't be confirmation, not because the President was late, as he was—and I was critical of him for doing that—but because the Republican majority says they won't confirm?

And then they complain there might be a recess appointment.

The Acting CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Oklahoma (Mr. LANKFORD).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. RIGELL

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112–172.

Mr. RIGELL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the of the bill the following new section:

SEC. 7. ANALYSIS OF REGULATIONS.

Section 1022 of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by adding at the end the following new subsection:

''(e) ANALYSIS OF REGULATIONS.—

''(1) IN GENERAL.—Each time the Bureau proposes a new rule or regulation, the Bureau shall—

''(A) carry out an initial regulatory flexibility analysis for such proposed rule or regulation, which shall be carried out as closely as possible to those initial regulatory flexibility analyses required under section 603 of title 5, United States Code, but which shall analyze the financial impact of the proposed rule or regulation on all financial entities, regardless of size; and

''(B) carry out an analysis of whether the proposed rule or regulation will impair the ability of individuals and small business to access credit from financial institutions.

''(2) REPORT.—The Bureau shall issue a report to the Council on the analyses carried out under paragraph (1), and make such analyses available to the public.

''(3) USE OF EXISTING RESOURCES.—The Bureau shall use existing resources to carry out the requirements of this subsection.''.

The Acting CHAIR. Pursuant to House Resolution 358, the gentleman from Virginia (Mr. RIGELL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. RIGELL. Mr. Chairman, Americans across this great land are hurting. Families are being hurt by excessively high unemployment. It is right now at 9.2 percent. In the Second District, it's high, and my wife, Teri, and I have dear friends who have lost their family businesses because of, I think, policies that have come out of this very institution, a hyperactive Federal Government.

So I rise today to offer an amendment that would directly address one of the principal reasons that I believe that our small businesses are having such a difficult time—and I know this firsthand because I am a small business owner—and that's a lack of credit.

My amendment would require the Consumer Financial Protection Bureau to submit a financial impact analysis on each proposed rule or regulation that it intends to layer upon our Nation's lenders. It would expand the cost analysis to include financial institutions of all sizes, not just the smaller ones that are currently under the cost analysis portion of the bill. Most importantly, though, the amendment would require the bureau to submit an analysis to the council on how the proposed regulation would impair the ability of individuals and our small businesses to access credit.

I've spent a lot of time, Mr. Chairman, in our district listening to small business owners and our local community bankers, not the big banks up in New York but the local banks. They've given me a clear indication of the struggle that our small business owners are having when it comes to acquiring credit. They're saying, SCOTT, we're not hiring account executives to go out and meet with our small business owners. We're hiring regulatory analysts to figure out and sort through Dodd-Frank, and now there's just yet another layer that's coming upon our local lenders. They're really struggling.

Mr. Chairman, what I've done in this amendment is to offer a reasonable solution that just would require that bureau to pause and to calculate and to distribute to the public a clear indication of the impact that the regulation would have both on the lending institution and on credit for our small business owners and individuals.

I believe this is a very prudent amendment. Given the hyperactive nature of our Federal Government, it continues to grow, it continues to reach out and, I think, choke out the life of the small business entrepreneur.

I would urge my colleagues to support this amendment. It really is about confidence. The hardworking folks that I know in the district, they want to know that we really are going to start in a reasonable and responsible way to contain this ever-expanding Federal Government.

Mr. Chairman, I close with this. I am not an advocate for no regulation, I'm an advocate for smarter and lighter regulation, and I think this amendment meets that test. I urge my colleagues to vote in favor of it.

I yield back the balance of my time.

Mr. MILLER of North Carolina. I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MILLER of North Carolina. I yield 2 minutes to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Mr. Chairman, I was moved to come to the floor to argue in opposition to this amendment and in opposition to the underlying legislation. I was moved because the amendment offered by the gentleman from Oklahoma and the amendment offered by the gentleman from Virginia are both about reports and analyses that this new agency will be required to produce. And it's odd, because to give my friends on the other side credit, they usually stand for more streamlined and efficient government, sometimes to the point that government ceases to function; but they are about efficiency and streamlining, and yet here we're hearing about more reports and more analyses, for the simple reason that this is part of a larger strategy to weigh down, to underfund, and to decapitate an agency they have no interest in seeing survive, an agency that would protect consumers, that would protect that group that was badly and most severely harmed in the disaster that we just went through.

Why? One can speculate. Perhaps it's to stand for the industry, for the financial concerns. But why do that? Why do

that when it has been proven time and time again, not just in the last 3 years but over hundreds of years, that financial services is a very volatile and very risky pursuit that if not adequately regulated will do what it has done in the last 3 years, will do what it did in the late 1920s, what it has done hundreds of years prior, collapse in upon itself.

□ 1800

This is regulation that is smart, that is commonsense, and that will protect the American family from products that could destroy that family. So let's not weigh down this agency. Let's not decapitate it. Let's not underfund it. Let's let it survive to protect American families.

Mr. MILLER of North Carolina. Sometimes it really is helpful, when you want to amend the law, to read the law. This amendment is almost completely redundant, and where it is not redundant, it is annoyingly pointless.

This is what the law already requires:

Before the CFPB can adopt a rule, it has to consider the potential benefits and costs to consumers and to the financial industry. It has to consider the impact of the rule. It has to consider whether it constricts credit, whether it makes it harder for small businesses or individuals—households—to get credit. All this amendment would require is already in the bill.

The CFPB's rulemaking requires that they give notice that they're going to consider a rule, and then they've got to take comment. Then they've got to propose a rule, and then they've got to take comment again. They know that, if anybody is against it, they've got to be prepared to defend it in court, and they've got to show that they developed the evidence that supports the rule and supports what the benefits are and what the costs are and whether it keeps people from getting credit.

What this amendment would also do is to make the CFPB prepare this report when nobody is against it, when everybody is perfectly fine with it, when it doesn't hurt anybody, when it doesn't bother anybody. It's minor. It's procedural. It would still require this silly, pointless report for a rule that nobody is against.

I understand that most Members do not want to make government unwieldy and filled with red tape. This amendment would just make government more unwieldy and filled with more red tape. So I oppose the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. RIGELL).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MILLER of North Carolina. 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 gentleman from Virginia 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 House Report 112–172 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Ms. JACKSON LEE of Texas.

Amendment No. 5 by Mr. MILLER of North Carolina.

Amendment No. 6 by Ms. JACKSON LEE of Texas.

Amendment No. 9 by Mrs. MALONEY of New York.

Amendment No. 11 by Mr. RIGELL of Virginia.

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 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 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 170, noes 239, not voting 23, as follows:

[Roll No. 615]

AYES—170

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
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
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
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
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Woolsey
Wu
Yarmuth

NOES—239

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Dent
DesJarlais
Diaz-Balart
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)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman

Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—23

Bachmann
Bishop (GA)
Black
Blumenauer
Butterfield
Castor (FL)
Costa
Denham
Ellison
Giffords
Griffith (VA)
Hinchey
Hoyer
Landry
Larson (CT)
Lynch
Pelosi
Pence
Rogers (AL)
Schock
Scott, Austin
Wilson (FL)
Young (AK)

□ 1829

Messrs. BENISHEK and CRITZ changed their vote from ''aye'' to ''no.''

Messrs. ALTMIRE, PALLONE, CLEAVER, CARNEY, Mrs. DAVIS of California, Messrs. DAVIS of Illinois, LARSEN of Washington, GRIJALVA, and GARAMENDI changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. WILSON of Florida. Mr. Chair, on rollcall No. 615, had I been present, I would have voted "aye."

Stated against:

Mr. DENHAM. Mr. Chair, on rollcall No. 615 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 5 OFFERED BY MR. MILLER OF NORTH CAROLINA

The Acting CHAIR (Mr. WOMACK). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. MILLER) 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 175, noes 238, not voting 19, as follows:

[Roll No. 616]

AYES—175

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Donnelly (IN)
Doyle
Edwards
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
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
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
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
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—238

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
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
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
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)
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
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
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
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—19

Bachmann
Bishop (GA)
Black
Blumenauer
Butterfield
Castor (FL)
Costa
Doggett
Ellison
Giffords
Griffith (VA)
Hinchey
Hoyer
Landry
Payne
Pelosi
Schock
Scott, Austin
Young (AK)

□ 1834

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 ayes 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 175, noes 240, not voting 17, as follows:

[Roll No. 617]

AYES—175

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holt
Honda
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
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Michaud
Miller (NC)

Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
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
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—240

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
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
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Crowley
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
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
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—17

Bachmann
Bishop (GA)
Black
Blumenauer
Butterfield
Castor (FL)
Costa
Ellison
Giffords
Griffith (VA)
Hinchey
Hoyer
Landry
Pelosi
Schock
Scott, Austin
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute left in this vote.

□ 1837

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MRS. MALONEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. MALONEY) on which further proceedings were postponed and on which the ayes 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 168, noes 244, not voting 20, as follows:

[Roll No. 618]

AYES—168

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Chu
Cicilline
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hirono
Hochul
Holden
Holt
Honda
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
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—244

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
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)
Green, Gene
Griffin (AR)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schrader
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—20

Bachmann
Bishop (GA)
Bishop (NY)
Black
Blumenauer
Butterfield
Castor (FL)
Clarke (MI)
Costa
Ellison
Giffords
Griffith (VA)
Hinchey
Hoyer
Landry
Mack
Pelosi
Schock
Scott, Austin
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1841

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. RIGELL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. RIGELL) on which further proceedings were postponed and on which the ayes 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 246, noes 167, not voting 19, as follows:

[Roll No. 619]

AYES—246

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
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
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
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
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
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
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
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 (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schilling
Schmidt
Schrader
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—167

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

NOT VOTING—19

Bachmann
Bishop (GA)
Black
Blumenauer
Butterfield
Castor (FL)
Costa
Ellison
Giffords
Griffith (VA)
Gutierrez
Hinchey
Hoyer
Issa
Landry
Pelosi
Schock
Scott, Austin
Young (AK)

□ 1845

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. KINZINGER of Illinois). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. KINZINGER of Illinois, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1315) to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, and, pursuant to House Resolution 358, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

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

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

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

Mr. MICHAUD. I am opposed.

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

The Clerk read as follows:

Mr. Michaud moves to recommit the bill H.R. 1315 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 1, after line 4, insert the following new section (and redesignate succeeding sections accordingly):

SEC. 2. PROTECTING SENIORS FROM ABUSIVE, PREDATORY, UNFAIR, AND DECEPTIVE FINANCIAL PRACTICES.

(a) IN GENERAL.—Nothing in this Act, or the amendments made by this Act, shall limit the authority of the Bureau of Consumer Financial Protection with respect to a rule or regulation issued by the Bureau, where the primary purpose of such rule or regulation is the prevention of abusive, predatory, unfair, or deceptive acts or practices that prey on the financial security of seniors, including fraud relating to their Social

Security and Medicare benefits, foreclosure, robosigning and reverse mortgages, and pensions or other retirement savings.

(b) SENIOR DEFINED.—For purposes of this Act and section 1023(c)(3)(A) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, the term ''senior'' shall have the meaning given the term ''older individual'' under section 102(40) of the Older Americans Act of 1965 (42 U.S.C. 3002(40)).

Page 1, line 12, insert the following before the quotation marks: '', except that the affirmative vote of ⅔ of the members of the Council then serving shall be required if the primary purpose of the regulation is the prevention of abusive, predatory, unfair, or deceptive acts or practices that prey on the financial security of seniors, including fraud relating to their Social Security and Medicare benefits, foreclosure, robosigning and reverse mortgages, and pensions or other retirement savings''.

Mr. MICHAUD (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. DUFFY. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

□ 1850

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

The Acting CHAIR. A point of order is reserved.

The gentleman from Maine is recognized for 5 minutes.

Mr. MICHAUD. Mr. Speaker, I offer this final amendment today for two reasons. First, to improve the bill one last time before we vote on final passage. And second, to provide Congress an opportunity to come together on an issue that all of us can agree on: protecting our seniors.

In the last 8 years that I have been a Member of Congress, I have had the opportunity to work with Republicans and Democrats alike to ensure that older Americans have the security and the quality of life that they deserve.

I am hopeful my amendment today will present another chance for my friends on both sides of the aisle to vote for something because it is good policy, regardless of our different politics.

This final amendment would ensure that nothing will prevent the Consumer Financial Protection Bureau from issuing rules or regulations that protect our seniors.

Specifically it makes sure that the bureau is fully able to protect seniors' Social Security and Medicare benefits, mortgages, pensions, and other retirement savings from fraud.

In my State of Maine, seniors are frequent targets of predatory practices intended to cheat them out of their money. Our Republican Governor Paul LePage recognized this disturbing reality when he announced new efforts to guard seniors from these scams just last month on Elder Abuse Awareness Day. The governor's efforts and my amendment are badly needed to protect our seniors. A 2010 survey of 7.3 million older Americans found that one out of every five citizens over the age of 65 has been a victim of a fraudulent scheme.

Even more are at risk of becoming victims, 37 percent of seniors are currently being contacted by people calling them asking for money, lotteries, and other scams.

I think we all can agree that Congress needs to act now to stop people from preying on seniors' finances and to protect their Medicare and Social Security benefits from scams. My final amendment to this bill will do just that.

I want to highlight two stories of fraud targeted at older Americans in my State of Maine. These heartbreaking examples show why it is so important for the Consumer Financial Protection Bureau to be able to protect our seniors.

Carolyn and Ray Thompson live in Brewer, Maine. And like many Mainers, they are big advocates of green energy and like a good opportunity when they see one. So when they heard from their friends about a man who owned a patent for a new form of windmill technology and was looking for investors, Carolyn and Ray were excited about the possibility of investing in windmill projects. So they did invest, to the tune of $30,000, thinking they were putting their money in an investment that would provide a secure future for their children.

But on a trip to view the windmill technology, they were not impressed by what they saw and became suspicious. Their suspicions were justified, and the opportunity proved to be a scam that took tens of thousands of dollars of their savings. Thankfully, the scammer was convicted of fraud earlier this month, but the Thompsons are unlikely to get their money back.

The second story is about Lucianne, a retired teacher from Caribou, Maine, who passed away last year from breast cancer. Three years before she died, she met with an insurance agent from Maine who took advantage of her age and repeatedly gave her bad financial advice for his financial gain. He convinced her to buy and finance a snowmobile for him to use. He got her to buy a long-term life insurance policy that she couldn't afford. And he advised her to cash out some of her stock portfolio to make financial expenditures that were bad and that really caused her Medicare premiums to skyrocket.

Lucianne passed away in November and did not live to see the agent lose his license. But her story lives on today as compelling evidence that Congress needs to protect our seniors from fraud.

So I ask my colleagues to join me today to support my amendment. We all have constituents like Lucianne and like Mr. and Mrs. Thompson.

This final amendment will not prevent this bill from moving forward. If it is adopted, it will simply be incorporated into the bill, and the bill will be immediately voted on.

I offer this final amendment today to protect our seniors, and I hope my colleagues on both sides of the aisle will join me in supporting it. I urge everyone to vote ''yes'' on this final amendment.

I yield back the balance of my time.

Mr. DUFFY. Mr. Speaker, I withdraw my point of order, and I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The point of order is withdrawn.

The gentleman from Wisconsin is recognized for 5 minutes.

Mr. DUFFY. Mr. Speaker, this motion on the floor today is just a political stunt that is going to undo the goodwill of my bill. Let's be clear, after nearly 20 hours of hearings and debates in our subcommittee and in our committee, this issue specifically has not been raised by my friends across the aisle. And then today, we spent nearly 3 hours on the floor and not once was this specific issue raised. This is no more than political theater.

But I have good news for my friends across the aisle, because in our committee we dealt with a similar issue, one where I made a motion to designate one of five commissioners to specifically deal with the protection of our seniors. The bad news is that every Democrat voted against that amendment.

Let's be clear. Everybody in this House wants to make sure their friends, their family members, their neighbors and constituents, when they deal with banks, their transactions are fair and transparent. We want to make sure of that. But I want to specifically talk about one very important issue that is raised in my bill that fixes the underlying law, because when you look at the CFPB as currently written, there is the ability to have rules reviewed, but the only way a rule can get reviewed is if you are a big bank on Wall Street. If you are one of those banks that participated in the financial crisis, if you are a big bank that is too big to fail, the way the underlying law has been written, Mr. Speaker, you have a voice with the way the current law is written with the CFPB.

What my bill does is it actually gives a voice to small community banks and credit unions who deal with families all across America.

□ 1900

Mr. Speaker, my bill doesn't just give a voice to Wall Street banks, the big banks. What my bill does is it gives a voice to small community banks, gives a voice to credit unions. So if a rule comes out that affects negatively the small community banks and the credit unions, they have a voice to ask that it be overturned. And it's those very small banks and credit unions that our families across this country look to when they want to get a loan for a car or mortgage for their home. Not only

that, it's those small banks and credit unions that give capital to small businesses that expand and grow and create jobs for our hardworking families right here in America.

Ladies and gentlemen, this is commonsense reform. This is reform that is going to do justice to the CFPB. I would ask that you join with me and Main Street America and vote against this motion to recommit and vote for the underlying bill.

I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Mr. MICHAUD. 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 232, not voting 17, as follows:

[Roll No. 620]

AYES—183

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
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
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)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
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
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—232

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
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
Diaz-Balart
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)
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
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
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)
Myrick
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
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—17

Bachmann
Bishop (GA)
Black
Blumenauer
Butterfield
Castor (FL)
Costa
Ellison
Giffords
Griffith (VA)
Hinchey
Hoyer
Landry
Pelosi
Schock
Scott, Austin
Young (AK)

□ 1919

Mr. JOHNSON of Illinois changed his vote from ''aye'' to ''no.''

Mr. CUELLAR and Mrs. NAPOLITANO changed their vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 241, noes 173, not voting 18, as follows:

[Roll No. 621]

AYES—241

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
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
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
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)
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
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
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
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)

Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schrader
Schweikert
Scott (SC)
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—173

Ackerman
Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
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
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
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
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)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—18

Bachmann
Bishop (GA)
Black
Blumenauer
Butterfield
Castor (FL)
Costa
Ellison
Giffords
Griffith (VA)
Hinchey
Hoyer
Landry
Pelosi
Schock
Scott, Austin
Speier
Young (AK)

□ 1927

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1315, CONSUMER FINANCIAL PROTECTION SAFETY AND SOUNDNESS IMPROVEMENT ACT of 2011

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 1315, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2584, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112–176) on the resolution (H. Res. 363) providing for consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes, which was referred to the House Calendar and ordered to be printed.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 1103. An act to extend the term of the incumbent Director of the Federal Bureau of Investigation.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2012

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2551 pursuant to House Resolution 359, the following amendments be permitted to be offered out of the specified order:

Amendment No. 9 by Mr. MORAN;

Amendment No. 12 by Mr. HOLT.

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

There was no objection.

GENERAL LEAVE

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2551 and that I may include tabular material on the same.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 359 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. 2551.

□ 1929

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. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WOODALL 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 Florida (Mr. CRENSHAW) and the gentleman from California (Mr. HONDA) each will control 30 minutes.

The Chair recognizes the gentleman from Florida.

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

Mr. Chairman and ladies and gentlemen of the House, this is the funding bill for the Subcommittee on the Legislative Branch of the Appropriations Committee for 2012.

Everybody knows that we are in the midst of some very difficult economic times. I don't need to tell the Members that we have had deficits of over $1 trillion for the last couple of years. I don't need to tell people that we've had about $4 trillion added to our national debt in the last 2½ years. We all know that we have $14 trillion of national debt, and that equals our entire economy.

□ 1930

The one thing that everyone would agree on is that we just can't keep spending like that. That's just not sustainable. Everyone says that. So we bring this bill in the midst of that kind of discussion, and we want to try to do our part in getting a handle on the way we spend money around this place. We want to try to stop this culture of spending and turn it into a culture of savings.

So when we bring this bill, this Legislative Branch appropriations bill, it will spend 6.4 percent less than last year. That's $227 million. It will spend 14.2 percent less than what was requested, that's $474 million.

Now, it's our best effort to keep the commitment that we're going to try to do things more efficiently and more effectively than we have before. How do we do that? Well, we listen to the facts. We had eight formal hearings. We had numerous informal hearings. We listened, we set priorities, we made some tough choices, and we have the bill before us.

I certainly want to thank the members of the subcommittee for their involvement, for their participation, for their hard work, for their input. And a

special word of thanks to MIKE HONDA from California, the ranking member, who was involved in the process all along the way and knows the difficult choices that we had to make.

I certainly want to thank our staff, both the majority and minority staff. A lot of times we go home at night and they stay and keep on working, and they helped us get to where we are today to have this final product.

Now, let me just give you some of the highlights of this bill.

If you look at the legislative branch, about 36 percent of the spending goes to the House of Representatives. That's where we are tonight. Half of the money that goes to the House goes to what we call Members' representational accounts, the so-called MRAs. And so we thought that since we've asked every agency in the Federal Government to rein in spending, we've asked them all to tighten their belt, to do more with less, to be more efficient than they ever have been before, we've subjected them to this kind of scrutiny, and we thought it would only be fair to apply that same process to us. That's why the MRAs in this House are reduced by 6.4 percent. All of the committee staff budgets, they are reduced by 6.4. The leadership budgets are reduced by 6.4 percent.

Now, those MRAs, that's money that's taxpayers' money. We have it available to us to run our offices. We can hire staff. We can lease space. We can buy equipment. We can do a lot of things. We have a lot of discretion.

Now, some people say we shouldn't cut the MRAs. Some people say we cut them too much, that we can't continue to do our job. Well, it seems to me that if we're going to ask every other agency of the Federal Government to do more with less, then we've got to look at our own selves, and that's what we've done here. We've said that we want to lead by example. We want to share in the sacrifice that everyone is sharing throughout the Federal Government. And that's why we did what we did.

Some people say, well, we might have to fire somebody. Again, Members have the money available to them. They can decide how they want to spend it. If they want to have lots of staff, they can have lots of staff. If they want to send lots of mail out, they can send lots of mail out. The MRAs even allow Members to lease a car. There will be an amendment later on to say you can't lease a car if it costs more a thousand dollars a month.

So when you hear people say this is going to make it very difficult for us to do our job, I think what it's going to do is make us as Members be more responsible, be more efficient, set the right priorities and continue to do our job. Because some people say we ought to cut even more.

But I would say that if you look at the facts, we've cut this legislative branch funding by 9 percent over the last 2 years. We cut the MRAs again. Last year we cut them 5 percent. The Appropriations Committee was cut by 9 percent last year. And so I think we've struck a balance between doing more with less, being more efficient, and yet being able to do the things that we need to do in a very efficient and a very safe manner.

Now, there are other agencies that we oversee, and some are extensions of the House, so to speak. The Congressional Budget Office, the Government Accountability Office, these are agencies that provide service to the Members of this body. And as extensions of the House, we felt like they should be subject to the same scrutiny that we were. Their budgets are going to be reduced by 6.4 percent as well. That means they are going to have to be a little smarter, set priorities, work more efficiently.

Actually, as Members, Mr. Chairman, we're going to have to be more judicious in the things that we ask from these agencies. Sometimes we just willy-nilly say, I want a report here, I want a report there. We need to decide what we really need and what we don't necessarily need, and I think they will be able to continue to do the job that they've been doing all along to supply us with the information we need to be effective Members of this body.

We also oversee the Library of Congress, a wonderful historic building that you can see from this House of Representatives. Very important to us. Their budget has been reduced. They are working with us to make sure that they can continue to provide the services that we need.

We oversee the Architect of the Capitol. He's charged with overseeing over a million square feet of offices all across this Capitol Hill. His budget is being cut, and he's got a list of the projects he needs to do. He's set a priority there, and he will do what needs to be done, but he'll make sure that he doesn't impair the health and the safety of any Members of this House, any staff, or the people that work on the Hill.

We reduced the budget of the Government Printing Office.

Finally, we oversee the Capitol Police. And a lot has been said about our ability to make sure that we're safe in this area. We didn't reduce the spending for the Capitol Police. We recognize that security is not a luxury; it's something that we need. But we also realize that Members can be more diligent, we can be more aware.

What we learned from this situation in Arizona with our fellow Congresswoman is that our service is not without risk, but many of the things that we need to do from a security standpoint have to do with our own common sense, our own awareness, our own diligence.

So we provide the Capitol Police with the money that they need to not only make sure that we are safe in this House, our staff, and those that work in the Capitol complex are safe, but also the millions of Americans that come here, to make sure they're safe as well.

So I think, Mr. Chairman, we have a bill that strikes the right balance. We recognize the difficult times we're in. We've taken the money we have available. We've set priorities. We made some tough choices. And I think this bill represents some fiscally responsible savings that will allow us to continue to do our job, to do it in a safe and efficient manner. As we have put all of these agencies around the Federal Government under this scrutiny to see if they can do things more efficiently, we have not exempted ourselves.

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2012 (H.R. 2551)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - LEGISLATIVE BRANCH					
HOUSE OF REPRESENTATIVES					
Salaries and Expenses					
House Leadership Offices					
Office of the Speaker	4,878	4,877	6,943	+2,065	+2,066
Speaker's Office for Legislative Floor Activities	498	497	---	-498	-497
Republican Steering Committee	941	942	---	-941	-942
Republican Policy Committee	344	348	---	-344	-348
Training and Program Development, Majority	278	279	---	-278	-279
Cloakroom Personnel, Majority	477	477	---	-477	-477
Subtotal, Office of the Speaker	7,416	7,420	6,943	-473	-477
Office of the Majority Floor Leader	2,433	2,430	2,278	-155	-152
Office of the Minority Floor Leader	4,378	4,385	7,433	+3,055	+3,048
Democratic Steering and Policy Committee	1,319	1,312	---	-1,319	-1,312
Nine minority employees	1,487	1,491	---	-1,487	-1,491
Training and Program Development, Minority	277	279	---	-277	-279
Cloakroom Personnel, Minority	477	477	---	-477	-477
Subtotal, Office of the Minority Floor Leader	7,938	7,944	7,433	-505	-511
Office of the Majority Whip	2,105	2,108	1,971	-134	-137
Office of the Minority Whip	1,629	1,624	1,525	-104	-99
Republican Conference	1,680	1,679	1,573	-107	-106
Democratic Caucus	1,660	1,657	1,554	-106	-103
Subtotal, House Leadership Offices	24,861	24,862	23,277	-1,584	-1,585
Transition to Calendar Year Funding					
Office of the Speaker	---	---	1,736	+1,736	+1,736
Office of the Majority Floor Leader	---	---	569	+569	+569
Office of the Minority Floor Leader	---	---	1,858	+1,858	+1,858
Office of the Majority Whip	---	---	493	+493	+493
Office of the Minority Whip	---	---	381	+381	+381
Republican Conference	---	---	393	+393	+393
Democratic Caucus	---	---	388	+388	+388
Subtotal, Transition to Calendar Year Funding	---	---	5,818	+5,818	+5,818
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail					
Expenses	613,052	633,848	573,939	-39,113	-59,909
Committee Employees					
Standing Committees, Special and Select	134,549	134,549	125,965	-8,584	-8,584
Committee on Appropriations (including studies and investigations)	28,483	28,483	26,666	-1,817	-1,817
Subtotal, Committee employees	163,032	163,032	152,631	-10,401	-10,401

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2012 (H.R. 2551)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Salaries, Officers and Employees					
Office of the Clerk	28,589	30,516	26,114	-2,475	-4,402
Office of the Sergeant at Arms	9,034	15,009	8,140	-894	-6,869
Office of Emergency Management	---	4,445	4,445	+4,445	---
Office of the Chief Administrative Officer	127,782	130,782	116,782	-11,000	-14,000
Office of the Inspector General	5,045	5,045	5,045	---	---
Office for Emergency Planning, Preparedness and Operations	4,445	---	---	-4,445	---
Office of General Counsel	1,415	1,415	1,415	---	---
Office of the Chaplain	179	179	179	---	---
Office of the Parliamentarian	2,060	2,060	2,060	---	---
Office of the Parliamentarian	(1,466)	(1,466)	(1,466)	---	---
Compilation of precedents of the House of Representatives	(594)	(594)	(594)	---	---
Office of the Law Revision Counsel of the House	3,258	3,258	3,258	---	---
Office of the Legislative Counsel of the House	8,814	8,814	8,814	---	---
Office of Interparliamentary Affairs	859	859	859	---	---
Other authorized employees	1,249	1,249	347	-902	-902
Office of the Historian	597	170	170	-427	---
Subtotal, Salaries, officers and employees	193,326	203,801	177,628	-15,698	-26,173
Allowances and Expenses					
Supplies, materials, administrative costs and Federal tort claims	3,948	3,948	3,696	-252	-252
Official mail for committees, leadership offices, and administrative offices of the House	201	201	201	---	---
Government contributions	280,349	276,703	264,848	-15,501	-11,855
Business Continuity and Disaster Recovery	22,912	17,098	17,112	-5,800	+14
Transition activities	2,907	2,907	2,722	-185	-185
Wounded Warrior program	2,000	2,500	2,500	+500	---
Energy demonstration projects	2,500	2,500	---	-2,500	-2,500
Office of Congressional Ethic	1,548	1,548	1,548	---	---
Miscellaneous items	760	760	760	---	---
Subtotal, Allowances and expenses	317,125	308,165	293,387	-23,738	-14,778
Total, House of Representatives	1,311,396	1,333,708	1,226,680	-84,716	-107,028
JOINT ITEMS					
Joint Economic Committee	4,490	4,814	4,203	-287	-611
Joint Committee on Taxation	10,530	11,327	10,424	-106	-903
Office of the Attending Physician					
Medical supplies, equipment, expenses, and allowances	3,400	3,403	3,400	---	-3
Office of Congressional Accessibility Services	1,374	1,363	1,363	-11	---
Total, Joint items	19,794	20,907	19,390	-404	-1,517
CAPITOL POLICE					
Salaries	277,133	299,343	277,133	---	-22,210
General expenses	63,004	88,273	63,004	---	-25,269
Total, Capitol Police	340,137	387,616	340,137	---	-47,479
OFFICE OF COMPLIANCE					
Salaries and expenses	4,077	4,782	3,817	-260	-965
CONGRESSIONAL BUDGET OFFICE					
Salaries and expenses	46,771	46,865	43,787	-2,984	-3,078

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2012 (H.R. 2551)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
ARCHITECT OF THE CAPITOL					
General administration	106,569	119,150	104,790	-1,779	-14,360
Capitol building	33,116	41,545	35,354	+2,238	-6,191
Capitol grounds	10,952	10,799	9,852	-1,100	-947
House of Representatives buildings:					
House office buildings	100,265	119,647	89,154	-11,111	-30,493
House Historic buildings revitalization fund	49,900	50,000	30,000	-19,900	-20,000
Capitol Power Plant	126,879	150,101	136,159	+9,280	-13,942
Offsetting collections	-7,984	-8,000	-9,000	-1,016	-1,000
Subtotal, Capitol Power Plant	118,895	142,101	127,159	+8,264	-14,942
Library buildings and grounds	45,703	67,888	38,486	-7,217	-29,402
Capitol police buildings, grounds and security	26,958	32,312	21,500	-5,458	-10,812
Botanic garden	11,367	12,344	12,000	+633	-344
Capitol Visitor Center:					
CVC Operations	22,414	23,016	21,276	-1,138	-1,740
Total, Architect of the Capitol	526,139	618,802	489,571	-36,568	-129,231
LIBRARY OF CONGRESS					
Salaries and expenses	438,122	462,329	412,446	-25,676	-49,883
Authority to spend receipts	-6,337	-6,350	-6,350	-13	---
Subtotal, Salaries and expenses	431,785	455,979	406,096	-25,689	-49,883
Copyright Office, salaries and expenses	54,367	56,440	50,974	-3,393	-5,466
Authority to spend receipts	-36,539	-34,717	-36,513	+26	-1,796
Subtotal, Copyright Office	17,828	21,723	14,461	-3,367	-7,262
Congressional Research Service, salaries and expenses	111,018	117,102	104,091	-6,927	-13,011
Books for the blind and physically handicapped, Salaries and expenses	68,046	71,927	50,674	-17,372	-21,253
Total, Library of Congress	628,677	666,731	575,322	-53,355	-91,409
GOVERNMENT PRINTING OFFICE					
Congressional printing and binding	93,580	100,001	78,000	-15,580	-22,001
Office of the Superintendent of Documents, salaries and expenses	39,831	42,173	35,000	-4,831	-7,173
Government Printing Office Revolving Fund	1,656	6,300	---	-1,656	-6,300
Total, Government Printing Office	135,067	148,474	113,000	-22,067	-35,474
GOVERNMENT ACCOUNTABILITY OFFICE					
Salaries and expenses	565,715	575,153	529,600	-36,115	-45,553
Offsetting collections	-19,461	-18,304	-18,304	+1,157	---
Total, Government Accountability Office	546,254	556,849	511,296	-34,958	-45,553

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2012 (H.R. 2551)
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
OPEN WORLD LEADERSHIP CENTER					
Payment to the Open World Leadership Center Trust Fund	11,377	12,600	1,000	-10,377	-11,600
JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT					
Stennis Center for Public Service	429	430	---	-429	-430
GENERAL PROVISIONS					
Architect of the Capitol, Capitol Visitor Center (Sec.210) (rescission)	-14,600	---	---	+14,600	---
Grand total	3,555,518	3,797,764	3,324,000	-231,518	-473,764
RECAPITULATION					
House of Representatives	1,311,396	1,333,708	1,226,680	-84,716	-107,028
Joint Items	19,794	20,907	19,390	-404	-1,517
Capitol Police	340,137	387,616	340,137	---	-47,479
Office of Compliance	4,077	4,782	3,817	-260	-965
Congressional Budget Office	46,771	46,865	43,787	-2,984	-3,078
Architect of the Capitol	526,139	618,802	489,571	-36,568	-129,231
Library of Congress	628,677	666,731	575,322	-53,355	-91,409
Government Printing Office	135,067	148,474	113,000	-22,067	-35,474
Government Accountability Office	546,254	556,849	511,296	-34,958	-45,553
Open World Leadership Center	11,377	12,600	1,000	-10,377	-11,600
Stennis Center for Public Service	429	430	---	-429	-430
General provisions	-14,600	---	---	+14,600	---
Grand total	3,555,518	3,797,764	3,324,000	-231,518	-473,764
Scorekeeping adjustments:					
GAO buyout authority (CBO estimate)	---	---	2,000	+2,000	+2,000
Adjustment for CBO's scoring of CR in millions	-2,518	---	---	+2,518	---
Total Discretionary (with CBO adjustments)	(3,553,000)	(3,797,764)	(3,326,000)	(-227,000)	(-471,764)

I reserve the balance of my time.

Mr. HONDA. Mr. Chairman, I yield myself such time as I may consume.

I would like to begin by thanking Chairman CRENSHAW, the Appropriations majority staff, and his personal staff for the professionalism shown during this process. While it is not the bill I would have written, it is the process that I would have followed.

As for the bill, the legislative branch minus the Senate is being cut by 6.4 percent from fiscal year 2011 and 9 percent from fiscal year 2010. These cuts are being done while we had to fix a $13 million hole for the Capitol Police because of their accounting mistake in fiscal year 2010.

I believe these cuts are harmful to our Members' ability to serve their constituents and to the House's responsibility to provide effective oversight.

The budget allocation is what one could expect given the majority is also cutting women and children's nutrition programs, consumer protection, and other important programs in other bills. The only thing this bill has succeeded in doing, however, is joining the other flawed bills by cutting at the expense of jobs, strong oversight, and commonsense efficiencies. Maybe with this bill, the smallest of all 12, and the one that funds our Members' own operations, the majority will see the real-life impacts of these cuts, one of which is not real deficit reduction.

This bill will cut the Library of Congress by 8.5 percent, including a reduction of over 300 employees, 50 of whom will be cut from our much relied-upon Congressional Research Service. Members should ask their staff how often they use CRS staff for research, particularly in responding to questions and concerns from their constituents.

This bill would cut the Government Printing Office by 16 percent, an agency already planning to let go of 330 employees. There is language encouraging the privatization of GPO's activities, which could make it more expensive for Congress to operate.

The Government Accountability Office, or GAO, is cut by 6.4 percent. Every $1 spent at GAO results in $4 in taxpayer savings. This begs the question, is it the majority's priority to not save taxpayers money? Those who claim to want increased oversight of government programs should reject cuts to GAO. They are known as Congress' watchdog, and that watchdog should have teeth.

We have heard that some Members' offices are furloughing staff to meet the 5 percent cut to the Members' Representational Allowance, or MRA, in 2011. Now this bill will further cut MRAs by 6.4 percent. Cuts to the MRA means cuts to Members' day-to-day abilities to effectively represent our and their constituents. From the staff assistant answering calls from our constituents to the caseworker helping Grandma recover her lost Social Security check, all of these services are funded through MRA. Each office would lose on the average of $88,000, which would mean two to three staffers per office.

In what world does laying people off recover the economy? The cut-and-grow mantra does not work in the economy as a whole. It certainly will not work in the corridors of Congress. I hope the Members of this body understand that agencies we rely on will have to deny or severely limit services provided to Members' offices because there are fewer people to handle requests. I would say to my colleagues, remember these cuts the next time you have requests of GAO, the Architect of the Capitol, Congressional Research Service, and the Congressional Budget Office.

Beyond that, after the tragic shooting of our friend and colleague GABBY GIFFORDS in Tucson, we were told to increase security in our district offices. But how are we supposed to pay for all of it? Certainly not out of our office budgets that are being whacked, not from the Capitol Police who are flat-funded, and not from the Sergeant at Arms, whose budget is cut 10 percent.

I have a great deal of respect for Chairman CRENSHAW. There are not many things that he could have done differently with the allocation he had to work under. I hope we rethink trying to balance the budget by cutting services to the people who sent us here, our constituents. We can and must do better, Mr. Chairman.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield such time as he may consume to the chairman of the full Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I thank the chairman for yielding the time.

I rise today to commend H.R. 2551, the fiscal year 2012 appropriations act for the legislative branch.

Mr. Chairman, this is the sixth appropriations bill that we will have passed through the House out of 12 bills that will be considered. Three more of the 12 bills are waiting, queued up to come before the House. But this is the sixth. This will make us halfway through the appropriations bills for 2012.

I want to commend Chairman CRENSHAW and Mr. HONDA for their hard work and the blood-curdling decisions they've had to make, because this bill deals with our colleagues and us and the operation of this body that we all love. This bill will help stop government overspending starting in our own backyards. If we're trying to get back on a more sustainable course, we've got to cut spending wherever we can, and we've got to make due with less. Our constituents asked us to get our own fiscal house in order, and we're leading by example with this legislation.

This legislation prioritizes the safety of the thousands of people who work in and visit the Capitol Complex every day, providing essential funding for the Capitol Police, services for our visitors, and necessary maintenance. But we are keeping to our commitment to reduce spending, and so we've cut back in other areas. We've trimmed the House leadership, Member, and committee budgets by over 6 percent. This legislation provides smaller budgets for our own offices and continues our goal of reducing spending across the entire Federal Government.

To demonstrate my commitment to savings and to prove the feasibility of reduced budgets, earlier this year, we directed that my very own committee, the Appropriations Committee, cut its budget not by the 5 percent that all other committees cut. We said, We'll see your 5 percent and ask for 4 more; and we cut our budget by 9 percent. And this bill continues that reduction, trimming another 6.4 percent. So since January of this year, the Appropriations Committee, when this bill is finished, will have cut its own budget by some 15.4 percent. Just as American families are forced to live within their means, their Representatives in Washington should do the same.

I understand that many of my colleagues are concerned about what these cuts might mean for their own offices. I know making these hard decisions will not be easy for them, just as they were not easy for us to make in the first place. But these cuts are necessary. We can't ask everyone else to make cuts to their budgets and not do the same to ourselves. We all have to share in the sacrifice during this financial crisis, and I'm proud that we're doing our part to help our Nation dig itself out of dangerous job-killing debt so that we can get our economy back on track.

Again, I want to commend Chairman CRENSHAW and Ranking Member HONDA and their staffs on a strong bill that makes these responsible reductions, and I urge our colleagues to support the legislation.

Mr. HONDA. Mr. Chairman, I yield 3 minutes to the gentleman from the beautiful State of Washington (Mr. DICKS), the ranking member of the Appropriations Committee.

Mr. DICKS. I thank the ranking member, the gentleman from California, for yielding to me, and I would like to thank Chairman CRENSHAW, Chairman ROGERS, and the staff on both sides for what they have been able to do to accommodate some of the priorities of Democratic Members as they have assembled the bill.

This bill would fund the legislative branch, minus the Senate, at $3.3 billion. This represents a 6.4 percent reduction from fiscal year 2011 and a 9 percent reduction from fiscal year 2010.

I appreciate the overview that Congressman HONDA has provided. And at this point, I would simply like to join him in expressing serious concern on behalf of our colleagues regarding security for our district offices and for official events involving Members as well as the general public. After the tragic shooting in Tucson, the Congress was

left to reevaluate security in Members' districts. While it is of utmost importance to ensure that citizens continue to have access to their Representatives in Congress, the Tucson event is a reminder that we must be vigilant in providing security to Members, to our staffs, and to our constituents who attend our events.

The effort by the House to improve district security after the shooting put much of the burden on the Members' offices, including the payment for that security. As Members' office budgets are being cut for the second time in a year, there has to be reconsideration of that policy, perhaps with an eye towards a more centralized approach to security.

While we have not seen specific estimates of the costs involved here, it would clearly represent a substantial expense, especially if the budget of the Secret Service is used as a guide. The Capitol Police appropriations recommended in this bill is $340 million, equal to the fiscal year 2011 level. The Capitol Police protect the entire Capitol Complex, with primary security responsibilities for 541 Members of Congress, Resident Commissioners, and Delegates. By comparison, the House-passed Secret Service appropriation bill included over $1 billion for the protection of 50 to 70 individuals, including the President.

□ 1950

If the Capitol Police are going to be required to assess more threats against Members and take a more active role in district security, the Capitol Police budget should reflect these increased demands. Conversely, if Members' individual office budgets are going to continue to assume these additional security costs, their budget should somehow reflect this responsibility.

Again, I thank the ranking member for his work on the bill and the chairman and Mr. ROGERS and our staff. We have a great staff, and they do great work for this institution.

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

Mr. HONDA. Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE), the ranking member of the Homeland Security appropriations subcommittee.

Mr. PRICE of North Carolina. Mr. Chairman, I thank the gentleman for yielding, and I commend both the chairman and the ranking member for their hard work on this bill, although, with an inadequate allocation, there are decisions that have been made that I believe will adversely affect our work, and that I hope can be revisited down the line.

That's not what I want to talk at this moment, though. I want to talk about an unusual feature of the Legislative Branch bill that I hope also can be revisited down the line. I want to call the attention of my colleagues to the elimination of a program that has served this body and our Nation's interests well, the Open World Leadership Center, a unique enterprise, sponsored by the legislative branch of our government, something that I think should make us very proud of this institution and its international outreach. The bill before us today provides only shut down expenses for this program.

Now, Mr. Chairman, I am not going to offer an amendment to restore the program's funding because of the extremely low subcommittee allocation and the absence of acceptable offsets. There simply isn't money lying around to apply to this purpose. But I cannot let this body's commitment to the Open World Program end without voicing my disappointment and my hope that this matter will be reconsidered and can be reconsidered in the context of the Senate bill.

The Open World Leadership Program is a unique program administered by the Library of Congress that, over the years, has earned bipartisan and bicameral support. Since 1999, the program has brought emerging leaders from former Soviet States to all 50 States of our country, providing them a firsthand look at the U.S. democratic process, enabling them to exchange ideas with their American counterparts, and encouraging them to relate what they learn to their home environments.

The participants in Open World are not the people that typically participate in international exchange programs. They're not just the political or business leaders in the capital who venture to other nations frequently. No, they're teachers, they're judges, they're health workers, they're young activists. They're all sorts of people who live often in rural areas and smaller cities.

The program penetrates deeply. In my experience, uniquely so. It penetrates quite deeply, rather than just being another run-of-the-mill exchange program. I know about this, and many other Members in this body do as well. I've participated personally with these leaders as they've come to my district.

This is a well-designed program. It's a program that has made and can make a difference. It doesn't just merely scratch the surface. It involves Russia, Ukraine, Moldova, Georgia, Azerbaijan, Armenia, Turkmenistan, Kazakhstan, Kyrgyzstan, Tajikistan and Serbia. These countries remain strategically linked to U.S. interests because of their history and also because of their location in Eastern Europe and Central Asia.

The Open World Program is an effective diplomatic tool.

The CHAIR. The time of the gentleman has expired.

Mr. HONDA. I yield the gentleman 2 additional minutes.

Mr. PRICE of North Carolina. The Open World Program is an effective diplomatic tool, and one of the legislative branch's few direct democracy promotion programs.

My colleagues, Open World is not about us. It's not about us. It's not about our institution. It's an instrument of outreach, a unique one. We should be proud of this, a unique instrument of outreach to a critical part of the world. And its loss would be deeply felt.

Now, in previous Congresses there has been some question of whether the Open World Program should be placed where it is administratively, or in the Legislative Branch appropriations bill. I've looked at this. I've concluded that the program's very placement in the legislative branch is, in fact, an asset, making clear the program is not tied to a specific administration with its foreign policy goals and priorities and politics. This, in fact, we're told has sometimes reduced obstacles to participation and has made the program more accessible.

Mr. Chairman, Congress' sponsorship of Open World has made me proud of this institution. We've assumed responsibility, very directly, for projecting our democratic principles and values to countries with histories of oppressive rule. We need to reflect further. We need to think long and hard on what it would mean to drop this program. What does that say about us? What kind of opportunities would we forego? If we do think long and hard, I have some confidence that we would reconsider what the subcommittee has recommended, and I very much hope we will have that opportunity.

Mr. BRADY of Pennsylvania. Mr. Chair, I've seen some bad Legislative branch bills reported from Appropriations in my years here, but this is by far the worst. In my judgment, the committee has failed to attend to the needs of this branch of government and done so for no apparent reason other than its adherence to an ideology exalting short-term political gain over long-term, careful stewardship of this first branch of government. There is no word to describe this bill other than "reckless" and I will not support it in its present form. Funding Capitol Hill's agencies at the levels contemplated in this bill will inflict real damage.

For example, this bill cuts the House itself by 7.9%, not the advertised 6.5%, when one factors in the cuts to the Architect's House Office Buildings account. Make no mistake: we Members will feel that cut. We will have fewer aides to help us answer our mail and help us with our committee work, so by definition there will be less of that work performed. Our standing committees are where oversight takes place, so federal agencies will have an easier time avoiding congressional scrutiny. Constituents who visit our congressional office buildings will find them in even more dilapidated shape than they already are because we are dramatically underfunding maintenance, something our property-owning constituents know costs only more money in the long run.

Other agencies covered in this bill received similarly short-sighted treatment. The Compliance Office, designed to ensure that Congress lives under the same employment and anti-discrimination laws as private employers, will suffer a 6.4% cut. A cynic might conclude such a cut is designed to cripple a tiny agency

inadequately staffed in the first place. The Library of Congress, our country's premier cultural institution, gets cut 8.5%, threatening a return to the days where books sit on the floor for want of staff to shelve them, copyright applications take months to process instead of days, and services decline to libraries nationwide as well as research support to Congress itself.

The bill will cut the Government Printing Office's account for congressional printing by a stunning 16.6%. This appropriation supports the printing and posting online of all our bills, resolutions, reports and the CONGRESSIONAL RECORD. This ill-conceived cut threatens timely and efficient operation of both houses of Congress, especially if paired with an amendment by the gentleman from Indiana to reduce it by $3.4 million more. Many at the GPO are already worried about potential lay-offs as a result. The Superintendent of Documents account, which enhances public transparency by distributing federal documents to depository libraries nationwide, faces a 12.1% cut in the bill and more if our Indiana colleague's amendment prevails. The Sunlight Foundation, a self-styled transparency advocate, believes GPO's been "drastically cut" even without further reductions.

The Congressional Budget Office and the General Accountability Office, which both help the Congress to assess budgetary accountability, receive 6.4% cuts, signaling the value the committee places on their very important work. To its credit, the bill holds the Architect of the Capitol's cuts for everything but the congressional office buildings to 1.5% below last year. The Architect operates many of our iconic facilities including the Capitol, the Supreme Court and the Library of Congress. If we were serious about preserving these hallmarks of American democracy and in creating jobs to strengthen our struggling economy, we would spend more in this area, not less.

I urge my colleagues to reject this bill. We can do better.

Mr. HONDA. I yield back the balance of my time.

Mr. CRENSHAW. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of the bill is as follows:

H.R. 2551

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

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, namely:

TITLE I—LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $1,226,680,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $23,275,773, including: Office of the Speaker, $6,942,770, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,277,595, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $7,432,812, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,971,050, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,524,951, including $5,000 for official expenses of the Minority Whip; Republican Conference, $1,572,788; Democratic Caucus, $1,553,807. In addition to the amounts made available above, for salaries and expenses under this heading, to be available during the period beginning September 30, 2012, and ending December 31, 2013; $5,818,948, including: Office of the Speaker, $1,735,694, including $6,250 for official expenses of the Speaker; Office of the Majority Floor Leader, $569,399, including $2,500 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $1,858,205, including $2,500 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $492,763, including $1,250 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $381,238, including $1,250 for offical expenses of the Minority Whip; Republican Conference, $393,197; Democratic Caucus, $388,452.

MEMBERS' REPRESENTATIONAL ALLOWANCES INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $573,939,282.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $125,964,870: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2012.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $26,665,785, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2012.

SALARIES, OFFICERS AND EMPLOYEES

For salaries and expenses of officers and employees, as authorized by law, $177,628,400, including: for salaries and expenses of the Office of the Clerk, including not more than $23,000, of which not more than $20,000 is for the Family Room, for official representation and reception expenses, $26,114,400, of which $2,000,000 shall remain available until expended; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than $3,000 for official representation and reception expenses, $12,585,000 of which $4,445,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than $3,000 for official representation and reception expenses, $116,782,000, of which $3,937,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $5,045,000; for salaries and expenses of the Office of General Counsel, $1,415,000; for the Office of the Chaplain, $179,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $2,060,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $3,258,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $8,814,000; for salaries and expenses of the Office of Interparliamentary Affairs, $859,000; for other authorized employees, $347,000; and for salaries and expenses of the Historian, $170,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $293,386,942, including: supplies, materials, administrative costs and Federal tort claims, $3,696,118; official mail for committees, leadership offices, and administrative offices of the House, $201,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $264,848,219; Business Continuity and Disaster Recovery, $17,112,072, of which $5,000,000 shall remain available until expended; transition activities for new members and staff, $2,721,533; Wounded Warrior Program $2,500,000, to remain available until expended; Office of Congressional Ethics, $1,548,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $760,000.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2012. Any amount remaining after all payments are made under such allowances for fiscal year 2012 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

REPUBLICAN POLICY COMMITTEE

SEC. 102. (a) Section 109(a) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 74a–13(a)) is amended by striking "the chair of the Republican Conference" and inserting the following: "the Speaker of the House of Representatives (or, if the Speaker is not a member of the Republican Party, the Minority Leader of the House of Representatives)".

(b) Section 109(b) of such Act (2 U.S.C. 74a-13(b)) is amended by striking the period at the end and inserting the following: ", and which shall be obligated and expended as directed by the Speaker (or, if the Speaker is not a member of the Republican party, the Minority Leader).".

(c) The amendment made by subsection (a) shall apply with respect to fiscal year 2012 and each succeeding fiscal year.

AUTHORITY OF SPEAKER AND MINORITY LEADER TO ALLOCATE FUNDS AMOUNG CERTAIN HOUSE LEADERSHIP OFFICES

SEC. 103. (a) AUTHORITY OF SPEAKER.—

(1) AUTHORITY DESCRIBED.—Notwithstanding any other provision of law (including any provision of law that sets forth an

allowance for official expenses), the amount appropriated or otherwise made available during a Congress for the salaries and expenses of any office or authority described in paragraph (2) shall be the amount allocated for such office or authority by the Speaker of the House of Representatives from the aggregate amount appropriated or otherwise made available for all such offices and authorities.

(2) OFFICES AND AUTHORITIES DESCRIBED.—The offices and authorities described in this paragraph are as follows:

(A) The Office of the Speaker.

(B) The Speaker's Office for Legislative Floor Activities.

(C) The Republican Steering Committee (if the Speaker is a member of the Republican party) or the Democratic Steering and Policy Committee (if the Speaker is a member of the Democratic party).

(D) The Republican Policy Committee (if the Speaker is a member of the Republican party).

(E) Training and program development—majority (as described under the heading ''House leadership offices'' in the most recent bill making appropriations for the legislative branch that was enacted prior to the date of the enactment of this Act).

(F) Cloakroom personnel—majority (as so described).

(b) AUTHORITY OF MINORITY LEADER.—

(1) AUTHORITY DESCRIBED.—Notwithstanding any other provision of law (including any provision of law that sets forth an allowance for official expenses), the amount appropriated or otherwise made available during a Congress for the salaries and expenses of any office or authority described in paragraph (2) shall be the amount allocated for such office or authority by the Minority Leader of the House of Representatives from the aggregate amount appropriated or otherwise made available for all such offices and authorities.

(2) OFFICES AND AUTHORITIES DESCRIBED.—The offices and authorities described in this paragraph are as follows:

(A) The Office of the Minority Leader.

(B) The Democratic Steering and Policy Committee (if the Minority Leader is a member of the Democratic party) or the Republican Steering Committee (if the Minority Leader is a member of the Republican party).

(C) The Republican Policy Committee (if the Minority Leader is a member of the Republican party).

(D) Training and program development—minority (as described under the heading ''House leadership offices'' in the most recent bill making appropriations for the legislative branch that was enacted prior to the date of the enactment of this Act).

(E) Cloakroom personnel—minority (as so described).

(F) Nine minority employees (as so described).

(c) EFFECTIVE DATE.—This section shall apply with respect to any months occurring during the One Hundred Twelfth Congress that begin after the date of the enactment of this Act, and to any succeeding Congress.

REPUBLICAN CONFERENCE AND THE DEMOCRATIC STEERING AND POLICY COMMITTEE

SEC. 104. (a) Section 103(b) of the Legislative Branch Appropriations Act, 1999 (2 U.S.C. 74a-8(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''Subject to the allocation described in subsection (c), funds'' and inserting ''Funds'';

(2) in paragraph (1), by striking ''direct;'' and inserting the following: ''direct (or, if the Speaker is not a member of the Republican Party, under such terms and conditions as the Minority Leader of the House of Representatives may direct);''; and

(3) in paragraph (2), by striking ''direct.'' and inserting the following: ''direct (or, if the Speaker is a member of the Democratic Party, under such terms and conditions as the Speaker may direct).''.

(b) Section 103 of such Act (2 U.S.C. 74a-8(c)) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) The amendments made by this section shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999.

TRANSFER OF HOUSE EMERGENCY PLANNING, PREPAREDNESS, AND OPERATIONS FUNCTIONS TO SERGEANT AT ARMS

SEC. 105. Effective February 1, 2010—

(1) section 905 of the Emergency Supplemental Act, 2002 (2 U.S.C. 130i) is repealed; and

(2) the functions and responsibilities of the Office of Emergency Planning, Preparedness and Operations under section 905 of such Act are transferred and assigned to the Sergeant at Arms of the House of Representatives.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $4,203,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $10,424,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of $2,175 per month to the Attending Physician; (2) an allowance of $1,300 per month to the Senior Medical Officer; (3) an allowance of $725 per month each to three medical officers while on duty in the Office of the Attending Physician; (4) an allowance of $725 per month to 2 assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and (5) $2,427,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $3,400,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, $1,363,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $277,132,624, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $63,003,740, of which $2,000,000 shall remain available until September 30, 2014 to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2012 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 1001. Amounts appropriated for fiscal year 2012 for the Capitol Police may be transferred between the headings ''Salaries'' and ''General Expenses'' upon the approval of the Committees on Appropriations of the House of Representatives and the Senate.

WAIVER BY CHIEF OF CAPITOL POLICE OF CLAIMS ARISING OUT OF ERRONEOUS PAYMENTS TO OFFICERS AND EMPLOYEES

SEC. 1002. (a) WAIVER OF CLAIM.—Subject to the approval of the Capitol Police Board, the Chief of the United States Capitol Police may waive in whole or in part a claim of the United States against a person arising out of an erroneous payment of any pay or allowances, other than travel and transportation expenses and allowances, to an officer, member, or employee of the United States Capitol Police, if the collection of the claim would be against equity and good conscience and not in the best interests of the United States.

(b) INVESTIGATION OF APPLICATION; REPORT.—The Chief shall investigate each application for the waiver of a claim under subsection (a) and shall submit a written report of the investigation to the Capitol Police Board, except that if the aggregate amount of the claim involved exceeds $1,500, the Comptroller General may also investigate the application and submit a written report of the investigation to the Capitol Police Board.

(c) PROHIBITION OF WAIVER UNDER CERTAIN CIRCUMSTANCES.—The Chief may not exercise the authority to waive a claim under subsection (a) if—

(1) in the Chief's opinion, there exists in connection with the claim an indication of fraud, misrepresentation, fault, or lack of good faith on the part of the officer, member, or employee involved or of any other person having an interest in obtaining a waiver of the claim; or

(2) the Chief receives the application for the waiver after the expiration of the 3-year period that begins on the date on which the erroneous payment of pay or allowances was discovered.

(d) CREDIT FOR WAIVER.—In the audit and settlement of accounts of any accountable officer or official, full credit shall be given for any amounts with respect to which collection by the United States is waived under subsection (a).

(e) EFFECT OF WAIVER.—An erroneous payment, the collection of which is waived under subsection (a), is deemed a valid payment for all purposes.

(f) CONSTRUCTION WITH OTHER LAWS.—This section does not affect any authority under

any other law to litigate, settle, compromise, or waive any claim of the United States.

(g) RULES AND REGULATIONS.—The Chief shall promulgate rules and regulations to carry out this section.

(h) EFFECTIVE DATE.—This section shall apply with respect to payments of pay and allowances made at any time after the Chief became the disbursing officer for the United States Capitol Police pursuant to section 1018(a) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(a)).

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,817,000, of which $884,000 shall remain available until September 30, 2013: *Provided*, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $43,787,000.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $104,790,000, of which $3,199,000 shall remain available until September 30, 2016.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, $35,354,000, of which $10,263,000 shall remain available until September 30, 2016.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $9,852,000.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $89,154,000, of which $40,631,000 shall remain available until September 30, 2016.

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, $30,000,000, shall remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $127,159,000, of which $33,377,000 shall remain available until September 30, 2016: *Provided*, That not more than $9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2012.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $38,486,000, of which $12,726,000 shall remain available until September 30, 2016.

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computer Facility, and AOC security operations, $21,500,000, of which $3,473,000 shall remain available until September 30, 2016.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $12,000,000: *Provided*, That of the amount made available under this heading, the Architect may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, $21,276,000.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; activities under the Civil Rights History Project Act of 2009; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $412,446,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2012, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2012 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,350,000: *Provided further*, That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, $4,800,000 shall remain available until expended for the digital collections and educational curricula program.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, $50,974,000, of which not more than $28,029,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2012 under section 708(d) of title 17, United States Code: *Provided*, That not more than $3,000,000 shall be derived from prior year available unobligated balances: *Provided further*, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than $5,484,000 shall be derived from collections during fiscal year 2012 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections and prior year available unobligated balances are less than $36,513,000: *Provided further*, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $104,091,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of

the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $50,674,000: *Provided*, That of the total amount appropriated, $650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 1101. (a) IN GENERAL.—For fiscal year 2012, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $169,725,000.

(b) ACTIVITIES.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) TRANSFER OF FUNDS.—During fiscal year 2012, the Librarian of Congress may temporarily transfer funds appropriated in this Act, under the heading ''Library of Congress'', under the subheading ''Salaries and Expenses'', to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182c): *Provided*, That the total amount of such transfers may not exceed $1,900,000: *Provided further*, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

TRANSFER AUTHORITY

SEC. 1102. (a) IN GENERAL.—Amounts appropriated for fiscal year 2012 for the Library of Congress may be transferred during fiscal year 2012 between any of the headings under the heading ''Library of Congress'' upon the approval of the Committees on Appropriations of the House of Representatives and the Senate.

(b) LIMITATION.—Not more than 10 percent of the total amount of funds appropriated to the account under any heading under the heading ''Library of Congress'' for fiscal year 2012 may be transferred from that account by all transfers made under subsection (a).

FUNDS AVAILABLE FOR WORKERS COMPENSATION PAYMENTS

SEC. 1103. (a) IN GENERAL.—Notwithstanding any other provision of law, available balances of expired Library of Congress appropriations shall be available for the purposes of making payments for employees of the Library of Congress under section 8147 of title 5, United States Code without regard to the fiscal year for which the obligation to make such payments is incurred.

(b) EFFECTIVE DATE.—This section shall apply with respect to appropriations for fiscal year 2012 and each fiscal year thereafter.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $78,000,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $35,000,000: *Provided*, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2010 and 2011 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: *Provided*, That not more than $7,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further*, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That activities financed through the revolving fund may provide information in any format.

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $511,296,000: *Provided*, That, in addition, $18,304,000 of payments received under sections 782, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

ADMINISTRATIVE PROVISION

SEC. 1201. (a) Section 210 of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q) is amended—

(1) by striking subsection (d); and

(2) in subsection (f)(2)(A), by striking ''United States Code'' and inserting ''United States Code, but excluding the Government Accountability Office''.

(b) Section 3521(1) of title 5, United States Code, is amended by striking ''section 105'' and inserting ''section 105 (other than the Government Accountability Office)''.

(c) The amendments made by this section shall apply with respect to voluntary separation incentive payments made during fiscal year 2012 or any succeeding fiscal year.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $1,000,000.

TITLE II—GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2012 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the House of Representatives and Senate, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

AWARDS AND SETTLEMENTS

SEC. 205. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) to pay awards and settlements as authorized under such subsection.

COSTS OF LBFMC

SEC. 206. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

LANDSCAPE MAINTENANCE

SEC. 207. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I–395 tunnel on the southeast.

LIMITATION ON TRANSFERS

SEC. 208. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 209. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate.

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

SPENDING REDUCTION ACCOUNT

SEC. 210. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974, excluding Senate items, exceeds the amount of proposed new budget authority is $0.

This Act may be cited as the ''Legislative Branch Appropriations Act, 2012''.

The CHAIR. No amendment to the bill shall be in order except those printed in House Report 112–173. Each such amendment may be offered only in the order printed in the report, except, pursuant to the order of the House of today, amendment No. 9 and amendment No. 12 may be offered out of the specified order. Each such amendment may be offered only by a Member designated in the report, shall be considered read, 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. HONDA

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–173.

Mr. HONDA. Mr. Chairman, I rise as the designee of the gentleman from Georgia (Mr. BISHOP) and offer the amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 9, after the dollar amount insert ''(reduced by $1,000,000)''.

Page 5, line 22, after the dollar amount insert ''(reduced by $1,000,000)''.

Page 6, line 6, after the dollar amount insert ''(reduced by $1,000,000)''.

Page 14, line 12, after the dollar amount insert ''(increased by $1,000,000)''.

The CHAIR. Pursuant to House Resolution 359, the gentleman from California (Mr. HONDA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HONDA. Mr. Chairman, the amendment I am introducing on behalf of my colleague, SANFORD BISHOP, would increase the Capitol Police by a modest $1 million for the district office security for Members.

After the shooting of our colleague, Ms. GIFFORDS, the Sergeant-At-Arms and the Capitol Police provided Members with access to security reviews. These reviews and guidelines by the Sergeant-At-Arms provided Members with a litany of equipment and capital improvements that are needed to improve district office security. Even though the recommendations came from our security agencies, Members were left to fund these upgrades through their office budget.

When Members' offices are being cut by more than 10 percent in a year, I'm afraid the strain to continue constituent services will impede any Member's ability to pay for these upgrades. I'm hoping this amendment will be a small step in providing a centralized pot of funds so these upgrades do not go ignored.

The offset is from a lower priority House account that funds transition costs in 2012. It is not a transition year.

□ 2000

Mr. CRENSHAW. Will the gentleman yield?

Mr. HONDA. I yield to the gentleman from Florida.

Mr. CRENSHAW. I just want to say to the gentleman that we are all concerned about security upgrades, and we accept the amendment.

Mr. HONDA. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HONDA).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. WATT

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–173.

Mr. WATT. Mr. Chairman, I have an amendment at the desk that has been made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, line 9, after the dollar amount insert ''(reduced by $619,200)''.

Page 5, line 22, after the dollar amount insert ''(reduced by $619,200)''.

Page 6, line 8, after the dollar amount insert ''(reduced by $619,200)''.

Page 37, line 7, after the dollar amount insert ''(increased by $619,200)''.

The CHAIR. Pursuant to House Resolution 359, the gentleman from North Carolina (Mr. WATT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. WATT. I yield myself 2 minutes.

Mr. Chairman, my amendment to the Legislative Branch bill would decrease funding for the Office of Congressional Ethics, the OCE, by $619,200 and transfer these funds to the spending reduction account.

I have offered this amendment because I believe there is a substantial bipartisan consensus, one, that the responsibilities of the OCE are redundant and duplicative of the House Ethics Committee; two, that the OCE's operations are substantially staff driven, and the staff has taken the OCE's mission well beyond what was intended in the statute that created the entity; three, that the procedures of the OCE are unfair and sometimes abusive of the rights of Members of the House; four, that a substantial part of the funds we spend on the OCE waste taxpayers' money; and, five, that using those funds to reduce our debt and deficit would be a far better use.

In these difficult budget times, I believe we have an obligation to judge the OCE on the same criteria on which we measure other agencies of the Federal Government. Using those criteria, my amendment proposes to eliminate duplication, demand accountability and adherence to the purposes for which the agency was created, demand fair due process treatment for Members of Congress as we would for other employees in both the private and public sectors, and force us to make a choice about how best to use our over $600,000 of taxpayer funds.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. Mr. Chairman, this amendment, as far as I'm concerned, is merely a punishment because some Members haven't liked some of the things the OCE has done. I will tell you that, having drafted the rule, I don't like everything they've done either, but the appropriate way to deal with that is to amend the rules of the House or to try to talk to them to amend their own rules.

There are ways to do the things that others have been concerned about, some of which I share. I have expressed my concern on certain issues to members of the OCE in the past. It's not to just pick a number and slash that number of 40 percent. That is merely, as far as I'm concerned, draconian punishment to say, We're the boss; you're not. It's not going to change one thing that the OCE does. It will simply make it a little bit more difficult for this House to maintain the integrity level that we have struggled so desperately to gain back over the years.

We've had our troubles. We will have problems in the future. Some of our colleagues will do something that none of us will like. The question is not that. The question is: How does the public see us?

I have a letter that I would like to submit to the RECORD that I think everybody got in their office today from the Campaign Legal Center, the Citizens for Responsibility and Ethics in Washington, Common Cause, Democracy 21, League of Women Voters, Public Citizen, and U.S. PIRG. I don't agree with everything that each one of these organizations stands for either; however, they all agree that this agency, even with its flaws, has improved the reputation of this House when it comes to policing our own Members.

Again, I want to be clear: I do not think that they have done a perfect job. My guess is I don't think most Members think that the Ethics Committee has done a perfect job over the years. That's not the measure. If that's the measure, none of us would be in Congress. We couldn't get anything done because there is no such thing as perfection. The measure is simply: What has been done to improve the image of this House? And I think everyone in Washington who follows these things agrees that the creation of this group and the actions it has taken overall have improved the image of this House. And I would say that a cut of this level is simply a draconian measure to punish them for what they have done as opposed to try to improve what they do in the future.

VOTE NO ON WATT AMENDMENT TO WEAKEN OFFICE OF CONGRESSIONAL ETHICS

JULY 21, 2011.

Our organizations strongly urge you to oppose an amendment by Representative Mel Watt that would gut the Office of Congressional Ethics by reducing the funding for OCE by $619,000 or 40 percent.

The recent dysfunctional performance by the House Ethics Committee has only served to reinforce the critically important role being played by the OCE in the House ethics enforcement process.

The OCE, under bipartisan leadership, has done an outstanding job in carrying out its mission to help protect the integrity of the House. There is absolutely no basis for reducing OCE's funding.

We strongly urge you to vote no on the Watt amendment.

CAMPAIGN LEGAL CENTER,
CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON,
COMMON CAUSE,
DEMOCRACY 21,
LEAGUE OF WOMEN VOTERS,
PUBLIC CITIZEN,
U.S. PIRG.

I reserve the balance of my time.

Mr. WATT. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from North Carolina for yielding, and I rise in support of the gentleman's amendment. And the reason for it is this:

As I watched the structure of the OCE be set up—and I'd say to the gentleman, for over 200 years we've had the Ethics Committee to take care of this business. If we want to amend the rules of the House, let's go back to what the rules of the House are. But the OCE has crossed the line over and over again.

And I would make this point: that they have gone on witch hunts. They have taken pieces of information that came from political opposition on either side and embellished that into things.

And they have violated Roman law, English common law, and the decency of the House by this: Classified confidential information used against Members of Congress who don't have an opportunity to face their accuser, whose reputations have been damaged by sometimes—I'll just say certainly leaks to the press, sometimes, I suspect, willful leaks to the press. We need to go back to the Ethics Committee dealing with this business as it has been for over two centuries.

This bill only passed by one vote a few years ago, and now we have a whole machinery out there whose sole purpose it is is to ask activist organizations on both sides to come in and send information in that would be used against Members of Congress.

I support the gentleman's amendment.

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

Mr. Chairman, I don't know about Roman law, and I'm a little shaky on English law as well, but I will tell you that it doesn't violate any American laws that I'm aware of. If it did, they would be subject to all kinds of legal proceedings against them.

I understand fully well that some Members didn't like voting for this. They don't like the idea of people other than Members of Congress looking at anything we do. I understand that. And there was a great attempt to try to balance that fear with a movement forward, which is what we did.

I'd like to point out very clearly that when the Congress changed from Democrat to Republican, there was no attempt by anybody that I'm aware of to change one aspect of this rule, not one aspect. That was the appropriate time. Had someone done it, I would have been happy to work with them.

I've expressed my concerns here. I've expressed them to the OCE. I've expressed them to other Members. I share some of these concerns. But I don't think it's an appropriate thing to simply wheel the old-fashioned political tool of a big, heavy draconian weapon and try to slash their budget and think that you're going to change it. You're not. And you will be perceived, this House will be perceived by the general public for what this is: simply an attempt to roll back our progress on policing our own activities.

I understand that that might make some people comfortable, but it's not the right thing to do and people here know that. This is payback. And I don't mind—I'm one of the few Members of this House who proudly call myself a politician. I understand payback, but let's call it what it is: We don't like what they do, and we're going to defund them. Don't pretend that something else is going on. That's what it is. It will be bad for the House of Representatives, and it will not change the things that people have expressed that they don't like.

I reserve the balance of my time.

Mr. WATT. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HONDA).

□ 2010

Mr. HONDA. I thank the gentleman.

I really understand that the gentleman from North Carolina is highlighting serious concerns with processes that he sees with the Office of Congressional Ethics, and I share some of his concerns. As well, I share some of the concerns that the gentleman from Massachusetts has. It is really raising the question of trying to improve the ethics process in our House and improving the underlying authorization that may be more appropriate, and seeking more appropriate first steps.

I think this may be a situation where we may not be able to support the gentleman's amendment, but at the same time support the issue of improving what it is that he is seeking. I think that the gentleman from Massachusetts would probably be willing to work on that, and I think my friends on the other side would be willing, too.

Reluctantly, while I am not personally in opposition, I think for this portion of the process, I am in opposition.

Mr. CAPUANO. Mr. Chairman, I yield back the balance of my time.

Mr. WATT. Mr. Chairman, I yield myself the balance of my time.

Let me just address this whole issue of retaliation. This is not retaliation. This is a better use of the money than the OCE is making of it. There is an undercurrent in this House. Everybody knows that the OCE processes have been unfair, undemocratic, and they have singled people out. It should stop, and we should stand up and say that it should stop.

We did not give the OCE the authority to initiate themselves investigations without an outside complaint. They have systematically done that. And to the extent they have done it, we have provided more funding than I think is appropriate, which is why I got the 40 percent as opposed to 100 percent.

I want them to continue to go on with the investigations that are out there. And when other people initiate them, they should be allowed to pursue them. But they should not be allowed to initiate on their own witch hunts against Members of Congress.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. WATT).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. WATT. 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 North Carolina will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BROUN OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112–173.

Mr. BROUN 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 12, line 21, after the dollar amount insert ''(reduced by $1,050,750)''.

Page 37, line 7, after the dollar amount insert ''(increased by $1,050,750)''.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would reduce funding for the Joint Economic Committee by 25 percent and transfer more than $1 million to the deficit reduction account.

The Joint Economic Committee is tasked with many of the duties of other congressional committees. Those other congressional committees already perform these duties, such as holding hearings, performing research, and studying the U.S. economy.

We here in America are facing a tremendous financial crisis. The legislative branch should not be excluded during budget cut debates.

The Joint Economic Committee performs overlapping duties that could easily be maintained by the Ways and Means Committee or the Budget Committee, or even the respective leadership policy committees. A 25 percent cut is very modest considering the gravity of the enormous debt that we are accumulating each and every day, and we must begin paying down that debt.

Our debt level is unsustainable, totally unsustainable. We are broke as a Nation. We have to start cutting in every aspect of the government's expenditures, and I believe the Joint Economic Committee can afford it, and I urge my colleagues to support my amendment.

I reserve the balance of my time.

Mr. HONDA. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. Mr. Chairman, this amendment would cut the Joint Economic Committee by 25 percent, or over $1 million. The funding included in the bill for the JEC is already less than the funding level provided to the JEC in fiscal year 2008. The Joint Economic Committee is a bicameral congressional committee composed of 10 Members from each, the Senate and the House of Representatives. There are 10 Democrats and 10 Republicans on the committee.

The gentleman does not have an amendment to go after the House Committee, but instead has chosen to go after funding for this joint committee. I hope this isn't an effort to strike funding because this committee is jointly managed with the Senate. The last thing that this Congress needs is less collaboration between the two bodies. We need to continue collaboration.

The main purpose of the JEC is to make a continuing study of matters related to the U.S. economy, and this is exactly the type of analysis Members from both parties and both bodies need as we try to analyze complex economic issues as a Nation.

I oppose this amendment, and I ask my colleagues to do so the same.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. I rise in opposition to this amendment. I respect very much the gentleman from Georgia's efforts on cutting and shrinking the size of government, but the Joint Economic Committee is already under the appropriations recommendation operating below the 2006 level. So it is doing more than its share of shrinking and running efficiently.

Unlike other committees, the Joint Economic Committee is created by law to be the counterpart for a Congress to weigh against the President's Council of Economic Advisers. It is bicameral. It is bipartisan. It provides information important to the size of government, the efficiency of government, and what can get our economy going. An example of the research is the 4 months, weekends, evenings, that was done going through every page and provision of the new 2,801-page health care law and identifying all of the new bureaucracies, agencies, and taxes that will be in between you and your doctor. That research could not be done otherwise. And I want to tell you, our Democrat friends will tell you that it provides the same type of analysis for their issues.

This is the type of information that Congress needs as we move forward on the critical issues of the economy. This committee has done its share of cuts, and I respectfully oppose this amendment.

Mr. HONDA. I yield back the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I appreciate that this is a bicameral, bipartisan committee. But as I mentioned during my initial remarks, these functions could be very well performed by other committees. These are duplicative services, and so I urge adoption of my amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

AMENDMENT NO. 4 OFFERED BY MR. BROUN OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112–173.

Mr. BROUN 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 17, line 25, after the dollar amount insert ''(reduced by $467,000)''.

Page 37, line 7, after the dollar amount insert ''(increased by $467,000)''.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would simply reduce funding for the Office of Compliance to the fiscal year 2008 level and would transfer almost half a million dollars into the spending reduction account.

At a time when we are facing such pressing fiscal crisis, we have a financial fiasco here in America because of

the outrageous spending Congress has been doing by both parties. Scaling back the spending for the Office of Compliance to the 2008 level is a modest and reasonable request. We have to continue to make cuts in every corner of the budget that we can, and we have to prioritize paying down our massive Federal debt that is totally unsustainable.

□ 2020

Again, if most offices within the Federal Government can reduce their spending back to 2008 levels, it is only logical for the Office of Compliance to do the very same. I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. HONDA. I claim time in opposition to this amendment.

THE CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. The amendment would cut the Office of Compliance by $467,000, even though the office is cut in the underlying bill by 6.4 percent—the same as the overall bill reduction. I have to question the motives of cutting the Office of Compliance disproportionately to the overall bill. Maybe the gentleman is not aware, but this office was established in 1995 by the Republican Congress to satisfy the Republican Contract with America.

The office implements the Congressional Accountability Act to ensure that Congress complies with safety, discrimination, and accessibility laws that everyone else in the Nation must follow. This amendment suggests that Congress should ease up on requirements to provide our workers with a fair and safe working environment.

Therefore, I oppose this amendment and urge my colleagues to do the same.

Mr. DICKS. Will the gentleman yield?

Mr. HONDA. I yield to the gentleman from Washington.

Mr. DICKS. I want to associate myself with the gentleman's remarks and urge a ''no'' vote on this amendment.

Mr. BROUN of Georgia. I continue to reserve the balance of my time.

Mr. HONDA. I just want to disclose the same comments I did in the last paragraph, that this amendment suggests that Congress should ease up on requirements providing our workers with a fair and safe working environment. I don't think we should back off on that.

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

Mr. BROUN of Georgia. Mr. Chairman, I appreciate my friend Mr. HONDA's comments. I offered eight amendments in total. Only three were held to be in order. So I'm not looking at anything specifically, except for the whole bill, to try to cut spending. Because it's absolutely critical as we go forward that we put this country back on a good fiscal standing. I believe very firmly that we need to look at every single nook and corner, every dollar spent by the Federal Government, and cut wherever we can. I think this is a reasonable request.

I urge adoption of my amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MS. HAYWORTH

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112–173.

Ms. HAYWORTH. Mr. Chairman, I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 14, after the dollar amount insert ''(reduced by $632,780)''.

Page 37, line 7, after the dollar amount insert ''(increased by $632,780)''.

The CHAIR. Pursuant to House Resolution 359, the gentlewoman from New York (Ms. HAYWORTH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. HAYWORTH. Mr. Chairman, I yield myself 3 minutes.

My amendment proposes that we cut the $632,780 proposed increase in funding to the Botanic Garden and transfer that amount to the spending reduction account. While the Botanic Garden in the FY12 budget receives an increase, almost every other account in the Legislative Branch appropriations bill has been decreased, including for the Congressional Research Service, the Congressional Budget Office, JEC, JCT, and the Capitol Police Buildings, Grounds, and Security account.

The Botanic Garden provides education and outreach programs, and they are definitely of value. They have been commended in the committee report for their accomplishments. But it is a time of austerity and the Botanic Garden should take the necessary steps to continue to pursue those programs with the same funding as they received in fiscal year '11. Throughout the rest of the legislative branch in the Federal Government we're cutting costs, we're eliminating employee spots, and we're taking other reductive measures. Each of our offices and committees will be operating with additional cuts. The Botanic Garden can itself continue to provide successful services and maintain its venue with the same level of funding as in FY 2011.

I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise in support of this amendment submitted with my colleague from New York to reduce the spending at the Botanic Garden. We're in the middle of a spending crisis that may lead to a sovereign debt crisis. In my view, there are very few programs funded by the Federal Government that can be exempt from fiscal responsibility and scrutiny. This is an unprecedented fiscal crisis. I applaud the Appropriations Committee's leadership and commitment to making significant spending reductions in this bill, including reducing personal office expenses and committee budgets.

There are many wonderful museums and points of interest here in Washington, D.C., and the Botanic Garden is among the best. My amendment, which would reduce its funding appropriations and take away its proposed increase, is not based on any act or omission by the Botanic Garden. They run a great program here. But let me be clear: as an avid outdoorsman and a gardener myself, I personally derive much benefit from the Botanic Garden right here on Capitol Hill. I have visited these beautiful places many times and always learn and see something new.

Our amendment is not intended to make the statement that the Botanic Garden is not a good and worthy program. It is. But it is not constitutionally mandated. It is not essential to providing key services to Americans. It does not generate jobs. It does contribute to the knowledge and understanding of the world, and that has great value.

Our country is in the midst of an epic fiscal crisis that threatens the livelihood and well-being of every single American, and even good and worthy programs such as the United States Botanic Garden cannot be spared from every effort to scale down our Federal budget significantly. This proposed amendment is a fair cut, indeed, in light of our fiscal crisis, a modest cut and consistent with the committee's recommendations for other programs within this bill.

I am confident that even with this reduced budget, the Botanic Garden will be able to offer an educational experience to all of us and to our constituents when they come to visit Capitol Hill. It is for those constituents that we offer this amendment and ask you for your support.

Mr. HONDA. Mr. Chairman, I claim time in opposition to the amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. While I'm not necessarily opposed to the amendment, I think the record should be clear on the funding level in the bill. To suggest that the $600,000 increase in the Botanic Garden is somehow not needed is simply not true. The funding will be used for painting, electrical upgrades, elevator maintenance, evaporative cooling system upgrades, and the replacement for the vent system used in the plant greenhouse. I applaud the chairman for funding this necessary maintenance work so we do not have more expensive deferred maintenance in the future.

This bill does not fund millions in the maintenance needed by the Architect to sustain and improve our aging national iconic buildings, including the Capitol. However, the chairman found a small amount of funding to try and keep up with the maintenance at the

Botanic Garden, and the Members attack because they can get a good headline in the paper.

I reserve the balance of my time.

Ms. HAYWORTH. Mr. Chairman, I certainly respect the point that the gentleman from California has made; but in a time when we are running a deficit of $14 trillion, at least, we have to seek to pursue sensible measures to reduce budgets wherever we can. And we are, unfortunately, faced with a time in our history in which what is nice to have or good to have must yield to what we absolutely must have. Therefore, I will defend the proposed reduction in the account that we have made in this amendment.

I reserve the balance of my time.

Mr. HONDA. I believe that there are other amendments forthcoming. I'm just very concerned about it, and I agree with the chairman in making this funding necessary. I know the Botanic Garden. I enjoy it. And I think that the funding that he has provided is sufficient to push forward the maintenance so that we do not incur a greater maintenance problem in the future.

I yield back the balance of my time.

Ms. HAYWORTH. Mr. Chairman, I could not agree more with the gentleman from California that the Botanic Garden is a treasure. I, too, have visited it, with great delight. But I would suggest that we perhaps could get together and seek voluntary contributions to fund this additional budgetary amount so that we can respect the urgent needs of the United States budget and of the United States taxpayers.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. HAYWORTH).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. HAYWORTH. Mr. Chairman, 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.

□ 2030

AMENDMENT NO. 6 OFFERED BY MR. BROUN OF GEORGIA

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112–173.

Mr. BROUN 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 21, line 14, after the dollar amount insert ''(reduced by $3,192,000)''.

Page 37, line 7, after the dollar amount insert ''(increased by $3,192,000)''.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Thank you, Mr. Chairman.

My amendment would reasonably reduce funding for the Botanic Garden to the fiscal year 2008 level and transfer more than $3 million to the spending reduction account. This bill funds the garden at $12 million. I'm only asking that the Botanic Garden be funded at $9 million.

Our Nation is broke. We are broke. There's no question about that. We need to face the fact that we are broke. Yet we continue to add to our enormous debt by borrowing more than $4 billion each day.

I believe, and I think that the American people would agree, that it is more reasonable to ask the Botanic Garden to stop trimming their hedges and to start trimming their budgets, like many of the other offices have done within the Federal Government and like many families and businesses have done all across this Nation.

We cannot afford to continue down this same path of fiscal irresponsibility that we have been heading down. I urge my colleagues to help me put America back on a different course and to support this amendment.

I reserve the balance of my time.

Mr. CRENSHAW. I claim time in opposition.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. I yield myself 1 minute.

Mr. Chairman, we just had an amendment that reduced the funding by $630,000. Now we have an amendment that will reduce it by 26 percent. I would suggest that that is a little bit extreme.

We as a subcommittee looked at all the agencies that we oversee. We reduced spending, as I said earlier, by 6.2 percent. Some agencies were cut more than others. The Botanic Garden at less than $600,000 will be at the current spending level this year. We feel like that needs to be where it is so they can continue to do the job they do. With a million people coming there, I think it's important, and I don't think we should cut it another 26 percent.

I reserve the balance of my time.

Mr. BROUN of Georgia. Mr. Chairman, I yield myself the balance of my time.

I appreciate my good friend ANDER CRENSHAW's remarks about this. When families face hard economic times, they look at extraneous expenses. I love plants. My wife and I work in our yard. We have plants that we baby, and she waters every day, so we certainly have a great appreciation of botanic gardens, plants, and the things that plants bring in the way of enjoyment. But when faced with hard economic times, people don't go out to Home Depot and buy more plants when they can't pay their bills, and that's the situation we're in as a Nation. Though the Botanic Garden is a very beautiful place, with a lot of very beautiful plants in it, I think it's not the responsible thing to continue to try to grow more things that are going to continue to grow the debt and spend money we just simply do not have.

As we've gone through the authorization process in the three committees I'm in, and as we've gone through these appropriation bills, I'm reminded of a saying that was utilized during our founding periods, but with a new twist, and the new twist is this: Don't cut me, don't cut thee, cut that fellow behind the tree. I hear that in the authorization committees over and over again:

''We have to cut our spending but don't cut me. Cut somebody else.''

''We have to get our debt under control, but don't cut me. Cut somebody behind the tree.''

There's nobody behind the tree. America deserves better. This is a simple cut. The Botanic Garden, as lush and pretty as it is, is not a necessary expenditure of the Federal Government, and I think the American people, if they had a choice, would support this amendment.

Mr. Chairman, I appreciate my good friend ANDER CRENSHAW's comments and the comments from the other side, but we just simply have to stop spending money that we do not have. It's irresponsible to do so, and so I urge the adoption of my amendment.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield 2 minutes to the distinguished ranking member of the full Appropriations Committee, the gentleman from Washington (Mr. DICKS).

Mr. DICKS. I thank the gentleman from Florida for yielding.

I just wanted to have the American people understand why we are opposing this amendment.

''The United States Botanic Garden is rooted in the Nation's heritage. During the late 18th century, George Washington, Thomas Jefferson, and James Madison shared the dream of a national botanic garden and were instrumental in establishing one on the National Mall in 1820.

''In continuous operation and open to the public since 1850, the Botanic Garden moved to its present location in 1933, a complex located along the north and south sides of Independence Avenue bordered by First Street and Third Street. The garden includes the Conservatory; the National Garden, which opened in 2006; and Bartholdi Park, which was created in 1932. A plant production and support facility opened in Anacostia in 1933 includes greenhouse bays and maintenance shops.''

This is a very important thing to the American people when they come here from all over the country. They want to see the garden, the Botanic Garden, and I just feel that we have to figure a way to fund this and to take care of the facility. This was a dream of the Founders of this Republic, and I think we should honor that dream and we

should defeat both of these amendments and do the work that's necessary to keep it in a first-class condition for the American people.

Mr. CRENSHAW. Mr. Chairman, I would like to yield 1 minute to the ranking member of the Legislative Branch Subcommittee, the gentleman from California (Mr. HONDA).

Mr. HONDA. The chairman of the subcommittee should be applauded for adequately funding the operations and necessary maintenance work so we do not have a more expensive deferred maintenance in the future, which usually is the result.

Now, about cutting and about plants. I think I know a little bit about plants and trees and people behind trees. There is someone behind the tree, and sometimes it's a gardener that doesn't know how to prune it to its proper shape so that it will express itself properly.

The Botanic Garden, let's face it, is a national treasure. It is something that people come to to enjoy. It's a heritage that our forefathers left behind that we should be able to maintain now and for the future. It's a place of respite and contemplation, and God knows that we all need that sometimes.

Mr. CRENSHAW. I urge a ''no'' vote, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROUN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BROUN 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.

□ 2040

AMENDMENT NO. 7 OFFERED BY MR. ALTMIRE

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112–173.

Mr. ALTMIRE. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 22, line 16, after the dollar amount insert ''(increased by $1,000,000) (reduced by $1,000,000)''.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Pennsylvania (Mr. ALTMIRE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ALTMIRE. Mr. Chairman, I ask unanimous consent to modify my amendment with the text that has been placed at the desk.

The CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 7:

Insert ''first'' after ''the''.

The CHAIR. Without objection, the modification is agreed to.

There was no objection.

The CHAIR. The Chair recognizes the gentleman from Pennsylvania.

Mr. ALTMIRE. I rise today in support of an important program at the Library of Congress, whose sole mission is to preserve the books and documents that tell our Nation's history. The Library of Congress, a 211-year-old institution and our national library, offers an incredible range of research, interactive programming and innovative technologies. However, most would agree that books remain the fundamental components of any library.

Since 1995, the Library of Congress has been conducting a specific preservation campaign to save its books. The current program, known as the Thirty-Year Mass Deacidification Program, aims to treat and preserve millions of hardbound books, paperback books, manuscripts, newspapers, maps, artworks, music scores, letters, pamphlets, and drawings. The program ensures that future generations are able to enjoy the important historical artifacts that are housed in the Library of Congress.

Many of the older books and papers at the Library of Congress are printed on acidic paper, which can turn brittle and fall apart with age. Deacidification extends the useful life of these works for up to 1,000 years longer than their useful life without treatment. Delaying the acidification process means more books would deteriorate beyond repair. Unfortunately, many old books in the Library's collection are already too brittle or in such poor shape that they cannot be preserved further. We must continue the work now to maintain the remaining books that can still be saved before they deteriorate further.

I am offering this amendment which would restore $1 million in funding for the Thirty-Year Mass Deacidification Program at the Library of Congress. Decisions that will affect the preservation of our Nation's heritage and history must be made carefully. We have to ensure that the Library has the resources it needs to maintain its collections.

For example, Mr. Chairman, if we cut $1 million from this project for this 1 year, as this legislation proposes to do, the project will take an estimated 20 years longer to complete while books continue to age and lose years off their useful life. Furthermore, the cut to this particular program is about 20 percent. It's disproportionate to the overall levels of cuts to expenses in other programs within the Library of Congress.

While cuts must be made, this program is something that cannot be put on hold. It cannot wait. Books will continue to decay, and we will risk losing irreplaceable works that chronicle and illustrate our Nation's history.

Mr. CRENSHAW. Will the gentleman yield?

Mr. ALTMIRE. I yield to the gentleman from Florida.

Mr. CRENSHAW. I thank the gentleman for that good amendment, and we have no objection to it.

Mr. ALTMIRE. In reclaiming my time, I appreciate the gentleman's comments. I'm going to go ahead and read my last paragraph if the gentleman doesn't mind, but I do appreciate that.

The Library of Congress, the repository of our national knowledge, does incredibly important work in preserving our Nation's history. In turn, we must provide them with the capacity to preserve their books for generations to come.

I thank the gentleman for his acceptance of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment, as modified, offered by the gentleman from Pennsylvania (Mr. ALTMIRE).

The amendment, as modified, was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. STUTZMAN

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112–173.

Mr. STUTZMAN. 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 28, line 10, after the dollar amount insert ''(reduced by $3,414,150.29)''.

Page 29, line 23, after the dollar amount insert ''(reduced by $1,531,990.51)''.

Page 37, line 7, after the dollar amount insert ''(increased by $4,946,140.80)''.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Indiana (Mr. STUTZMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. STUTZMAN. I yield myself 3 minutes.

Mr. Chairman, I want to thank Chairman DREIER and the entire Rules Committee for ruling this amendment in order and for allowing it to be heard today.

This amendment asks the Government Printing Office to take an additional 4.3 percent cut that, if passed, would bring the total reduction of the GPO for fiscal year 2012 to 20 percent. The additional 4.3 percent cut would mean a total reduction of nearly $5 million. This may not seem like a lot here in Washington, but the American people demand government to make the same sacrifices at our offices and here in Washington as the families and small business owners make at their homes and places of work. It is our duty to manage our own House in a fiscally prudent manner. Let me lay out some numbers that may put this amendment's small reduction to the GPO in proper perspective.

The GPO spends over $28 million a year on the CONGRESSIONAL RECORD program alone. Over $8 million of that amount goes to the printing, binding and distribution of our CONGRESSIONAL

RECORD. This includes payment for 4,551 copies of the CONGRESSIONAL RECORD despite the documents having been available digitally since 1994.

I don't know about you, Mr. Chairman, but spending $28 million to see and print what is said in Congress seems to be a raw deal. It really seems like a subsidy for a magazine that no one really wants to read. I have a couple of examples I'd like to share just to show the printing that goes on within the printing office.

Many of these documents show up in our offices and go straight into the recycling cans. One in particular that I found interesting is this document from the CBO, ''Reducing the Deficit: Spending and Revenue Options,'' which has been printed en masse and is sitting around many of the offices on Capitol Hill. I think that this is a very appropriate measure we can take. When a small business is struggling, it must do without certain luxuries or conveniences. A business may cut marketing and printing costs in turn. A doctor's office might stop its magazine subscriptions it places in its waiting room. They expect us to do the same.

In May of this year, the Public Printer of the United States, who testified before the House Appropriations Legislative Branch Subcommittee, cited nearly 100,000 square feet of wasted government space. He also asked that GPO be taken out of the security business. I would have never guessed that the Government Printing Office spends $13 million a year on security.

My overall point is that there are creative solutions in order to make this small additional reduction to bring the reduction of the GPO to 20 percent. I applaud the recent internal efforts of Representative LUNGREN of California and Representative GINGREY of Georgia asking Members to opt out of such waste. However, I don't believe that that goes far enough in reducing the spending in this agency.

Mr. Chairman, let me finish by saying that a further 4.3 percent reduction in an office that prints unnecessary publications is not too much to ask. Let's take action. Let's do without as many words, and show Americans we can keep and make cuts of our own here in Congress.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I claim time in opposition.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. I thank the gentleman for bringing all of these issues to our attention; but I want to direct him to United States Code, title 44, which basically directs the Government Printing Office to do the things that they do. So, if the gentleman is concerned, I'd suggest the first thing he do is read title 44 and find out what is required by Congress. If we change that, we might be able to change some of the printing that goes on.

The Government Printing Office only produces what it is ordered to produce by Congress. I think we all know that we've already cut their budget by 16 percent, and I don't know what's magic about the last 4.3 percent. I think our subcommittee, through a series of hearings and informal hearings, looked at the facts. We set some priorities, and we said we're going to reduce the funding by 16 percent. We detail in our report some of the things that are of interest to us. We actually are going to take a look at privatizing the entire Government Printing Office, but once again, so much of that is driven by this title 44.

□ 2050

Already GPO has announced a buyout program. They're going to reduce their workforce by 15 percent through this buyout program. That's 330 positions. And any further significant changes are going to require a change in this printing law.

So while I think the gentleman makes some good points, I simply want to say that we looked at the facts. We reduced the spending by 16 percent. We think that's appropriate.

So I would urge a ''no'' vote on this amendment.

I reserve the balance of my time.

Mr. STUTZMAN. Mr. Chairman, I yield myself 1 minute.

I do appreciate the points about the responsibilities of the GPO and that they are required by law to print certain documents, but let me give you several examples. And again, let's remind ourselves that all of these—this is actually an environmentally friendly bill. This is an amendment that would actually reduce the cost and the amount of paper that we print many of these words on.

These are all available to any American on the Internet, and especially to each one of us as individuals of Congress, Members of Congress, and to our staff. But we have the CONGRESSIONAL RECORD, the Congressional Directory, the Senate and the House Journals, memorial addresses of Members, nominations, U.S. Code and Supplements, laws and treaties, envelopes provided to Members of Congress for the mailing of documents, House and Senate business and committee calendars, bills, resolutions and amendments, committee reports and prints, committee hearings. All of these are obviously very important documents, but I believe in the day and age that we live in, all of these can be done electronically and digitally and would actually save dollars for the American taxpayer.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I would like to yield 1 minute to the distinguished ranking member of the subcommittee, Mr. HONDA from California.

Mr. HONDA. I thank the chairman for yielding.

My daddy used to say that you should really be careful of zealots because they come in hacking and hewing. I think there are a couple of things that the chairman has pointed out that require some study and thought.

The gentleman who's wanting to do the cutting, he indicated there was a book that was talking about deficits, but that book has been paid by CBO, so it is not a cost of GPO.

And then in terms of security, GPO has the security, but they're required to issue passports, and with passports you have to have security there.

So I think a more studied approach would probably be in place. Cuts for cuts' sake, I think, is, in the words of my father, foolhardy. I would recommend that we slow down and make haste with all deliberate speed, and I agree with my chairman here.

Mr. STUTZMAN. I yield myself 1 minute, the remaining balance of my time, Mr. Chairman.

I understand the gentleman's point about CBO spending their dollars on this publication, but we see these publications around Capitol Hill everywhere. You go to any congressional office and you will see documents and publications that people never use.

Again, let's advance ourselves into the day and age that we live in and using these documents in electronic format.

But also my understanding is that the 16 percent reduction is returning ourselves to the 2009 levels, if my understanding is correct. I believe that we need to reduce ourselves even further than that.

Again, this is a very simple amendment. I think the American people would agree with this and that we are saving every dollar and looking at every opportunity to save tax dollars.

I yield back the balance of my time.

Mr. CRENSHAW. I yield myself such time as I might consume and simply to say that the subcommittee looked at this. We have concerns. We reduced spending by 16 percent. If you want to have any more significant savings, you are going to have to change the printing laws that are there in chapter 54.

So I would simply say I think we've done a good job of what we're trying to do. We are looking for ways. And remember, they print what they're asked to print. When GAO asks them to print something, they pay for it. A lot of people say that we ought to just privatize the whole thing, and that's something we're thinking about doing.

But I think we've cut down sufficiently. I think they can still do their job. They don't need any further cuts. I would urge a ''no'' vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. STUTZMAN).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. CRENSHAW. 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 Indiana will be postponed.

It is now in order to consider amendment No. 10 printed in House Report 112–173.

It is now in order to consider amendment No. 11 printed in House Report 112–173.

AMENDMENT NO. 13 OFFERED BY MR. PAULSEN

The CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112–173.

Mr. PAULSEN. 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:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

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

My amendment would prevent any funds in the Legislative appropriations bill from being used to distribute printed copies of legislation unless a Member specifically asks or requests for such a copy.

Now, currently when a Member introduces legislation or becomes a cosponsor of a bill, three copies of that bill are sent to the Member's office, and oftentimes many of these copies end up being thrown away or recycled because legislative text is certainly available online and the paper copies just add to the unnecessary clutter.

This amendment would seek to stop that practice. The legislation is available online, and if Members are interested, they could still get a copy of the bill or they can print it obviously offline or request to pick up a printed copy from the printing office.

I understand that there are absolutely valid uses for the printed copies of these bills, and this amendment does not prevent them from being printed.

A similar legislation, Mr. Chairman, was already adopted at the beginning of this Congress that passed the House 399–0. I would ask Members to support this amendment. It's fiscally responsible. It's common sense. It's environmentally the right thing to do as well.

Mr. CRENSHAW. Will the gentleman yield?

Mr. PAULSEN. I yield to the gentleman from Florida.

Mr. CRENSHAW. I think that's a good amendment, and we have no objection. We accept the amendment.

Mr. PAULSEN. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. PAULSEN

The CHAIR. It is now in order to consider amendment No. 14 printed in House Report 112–173.

Mr. PAULSEN. 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:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available by this Act may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

The CHAIR. Pursuant to House Resolution 359, the gentleman from Minnesota (Mr. PAULSEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Chairman, this amendment is similar to the last amendment. It would prevent any funds in the Legislative appropriations bill from being used to distribute printed copies of the CONGRESSIONAL RECORD to all 435 Members' offices each day that Congress is in session.

Now, many times copies of the CONGRESSIONAL RECORD are thrown straight into the recycling bin. My amendment would prevent funds from being used to deliver these CONGRESSIONAL RECORD copies to Members' offices. The amendment does not prevent the printing of the CONGRESSIONAL RECORD, just the delivery of the printed copy.

Of course, there are absolutely—as I mentioned in the last amendment, there are legitimate uses for the CONGRESSIONAL RECORD and some offices may require a hard copy, and this amendment does not prevent that. It remains available for pickup from the Legislative Resource Center for all offices.

Again, this is an amendment that is fiscally responsible and environmentally responsible.

I reserve the balance of my time.

□ 2100

Mr. CRENSHAW. Mr. Chairman, I move to strike the last word.

The CHAIR. That may not be done on an amendment.

Mr. CRENSHAW. I think if you read it carefully, the chairman and the ranking member, under the rule, can move to strike the last word.

The CHAIR. On the bill but not on an amendment.

Mr. CRENSHAW. On the bill? So I can't strike it on the amendment?

Then I will rise to claim time in opposition.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. I don't necessarily oppose the amendment. In fact, I think it's a good amendment. But I just want to mention a couple of things.

I thank the gentleman from Minnesota for bringing the amendment before us. We are trying to save money. Actually, I think a questionnaire was sent out to ask the Members if they want to receive a CONGRESSIONAL RECORD. Some people responded. Some people didn't respond. But I think like the last amendment that he offered, we are just trying to reduce some of the paperwork. And if people don't want to receive a copy, then they don't have to receive a copy. That might help save a little bit of money. I think on balance, it may create some problems, but I think it's probably a good amendment. And I would be willing to say we accept that amendment.

So with that, I think Mr. HONDA might want to say a word, so I'm going to yield to him for such time as he may consume.

Mr. HONDA. Mr. Chairman, I am not opposed to the amendment, but I figured that I could spend a little time now, since I didn't take it on the last one.

As a Member who represents Silicon Valley, I am supportive of most any effort to move us towards becoming a more paperless Congress. This amendment is easy to support because the Government Printing Office has already taken steps that reduce printed copies of the CONGRESSIONAL RECORD.

GPO has surveyed the House and Senate for their continuing to print copies of the RECORD, along with other print documents, like the Federal Register, the first survey of its kind. And for those offices like my own that told GPO that we want to opt out of having the RECORD delivered to our offices, GPO stopped those deliveries.

I think the gentleman would also be interested in knowing that 68 percent of the costs of producing the CONGRESSIONAL RECORD is incurred whether copies are printed or not. These are the pre-press costs that are used to create the electronic file which they upload for online and also print.

So while I'm not opposed to reviewing how Congress does its work, including its documents requirement, I believe Members should spend some time getting to know the agency before acting upon it. I think that this move towards a more paperless Congress will start here. It needs to start here with our own practices, and I believe the GPO will accommodate. Again, I support this amendment, as it reinforces steps already taken by our partners at GPO, and I thank our colleague for presenting this.

Mr. PAULSEN. Mr. Chairman, I thank the chairman and the ranking member, and I yield back the balance of my time.

Mr. CRENSHAW. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. PAULSEN).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. THOMPSON OF PENNSYLVANIA

The CHAIR. It is now in order to consider amendment No. 15 printed in House Report 112–173.

Mr. THOMPSON of Pennsylvania. 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:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act may be used to purchase, acquire, install, or use any medium screw base compact fluorescent lamp or light bulb.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Pennsylvania (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I offer a commonsense, cost-effective, environmentally friendly approach to lighting the Capitol Complex. The amendment states that no funds in the Legislative Branch appropriations bill may be used to buy, acquire, install, or use any compact fluorescent lamp, also known more commonly as a CFL.

I'm offering this amendment for several reasons: One, there are no compact fluorescent lamps manufactured in the United States. This is a very important point. The CFLs that provide light for this Chamber and the Capitol Complex are all foreign-made.

Two, CFLs contain mercury, a known neurotoxin which affects motor and cognitive skills by impairing the brain. If a CFL, or ''mercury bomb,'' as some have called them, breaks, the mercury vapor is released, placing those nearby at risk of inhaling the vapors and absorbing mercury through the lungs. The EPA has set up guidelines for the cleanup of broken CFL bulbs that includes evacuating the room immediately and venting it for at least 10 minutes. Even short-term exposure can potentially cause ''memory disturbances, sleep disorders, anger, fatigue, and/or hand tremors,'' according to recent studies.

Three, since Congress forced the use of foreign-made CFLs 4 years ago, American lighting manufacturers have made substantial investments in technology and have retooled their factories to make new LED and incandescent bulbs which meet the energy efficiency standards Congress mandated.

The best part: These new American-made bulbs are mercury-free, energy-efficient, cost-effective, and provide better lighting than their CFL counterparts. Let me say that again: This amendment does not ban energy-efficient bulbs from the Capitol. On the contrary, it makes sure that the energy-efficient bulbs that are used are mercury-free and made in America.

Let's take a closer look at these two bulbs. This curlicue CFL is energy-efficient by definition. No doubt. This halogen incandescent is also energy-efficient, by definition. This CFL contains mercury, and if it breaks, we have to evacuate the Chamber. This halogen bulb is mercury-free, and if it breaks, we get the broom. This CFL is made in a foreign country. This halogen bulb is made in America, with technologies created by American ingenuity. This CFL adds to our trade deficit. This halogen bulb supports American manufacturing and American jobs. These are good-paying, family sustaining jobs. And that's why the United Steelworkers has been more than happy to lend their support to this amendment.

Mr. Chairman, we can all agree, energy-efficient, cost-effective, environmentally friendly, and American-made is the way to go. I encourage my colleagues on both sides of the aisle to support this commonsense amendment. It's just a bright idea.

I reserve the balance of my time.

Mr. HONDA. I claim time in opposition to the gentleman's amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. Mr. Chairman, the amendment before us would prohibit the purchase, acquisition, installation, or use of any medium compact fluorescent lightbulbs. This amendment seeks to rehash the debate on lightbulb efficiency standards we had during the consideration of H.R. 2417, the BULB Act, which failed when it was brought to a vote earlier this month.

The impact of this amendment on this bill goes beyond a policy argument on whether or not you support these types of energy-saving bulbs. This amendment would prevent Members and staff from literally turning on the lights. If offices have these bulbs, which most do, they would be prohibited from using them.

One reason that folks support doing away with energy-efficient lightbulbs is because they consider them to be a potential mercury danger. There has been no proof that these lightbulbs expose people to unhealthy levels of mercury. This scare tactic is trying to impose fear and is a result of an overblown media report that exaggerated the potential danger.

These bulbs are safe. They're already installed and are used in the House, and they save taxpayers money. And, oh, by the way, I believe every thermostat we have in our House has quite a bit of mercury in there.

So with that, I urge defeat of this amendment.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. I yield myself such time as I may consume.

I thank the gentleman for laying out his points there. I couldn't disagree more though. These are a result of those standards that were created in previous Congresses, long before I got here. These are energy-efficient bulbs that meet the standards today that were set forth by this body.

This amendment I'm putting forth is a commonsense amendment that recognizes the innovation of American manufacturers. These folks delivered what Congress put out there for an issue to do. And I disagree when it comes to mercury. What I quoted you was from the EPA in terms of, if this bulb were to break in this Chamber, we would be forced to evacuate, simply from breaking one bulb. The EPA tells us that a room would have to be evacuated. It would have to be cleared and ventilated. So that's from the Environmental Protection Agency. These are energy-efficient bulbs, and this is not the only one. Many manufacturers in the United States have risen to the challenge of meeting those new energy-efficiency standards.

□ 2110

Why would we not recognize and utilize American-made bulbs that meet those energy efficiency standards that, frankly, contain no harmful chemicals in terms of mercury, as opposed to one—these bulbs, there is no place in the United States where CF bulbs are manufactured. This bulb is about foreign jobs.

And so I appreciate the gentleman's point. I just couldn't disagree more.

I reserve the balance of my time.

Mr. HONDA. Mr. Chairman, I find it interesting that the example of the EPA indicating that this mercury would be a danger and so, off the subject then, when we talk about EPA standards and sustaining EPA, I hope that we can be on the same side on that one.

I continue to reserve my time in order to close the debate.

The CHAIR. The Chair recognizes the gentleman from Pennsylvania.

Mr. CRENSHAW. Will the gentleman yield?

Mr. THOMPSON of Pennsylvania. I yield to the gentleman from Florida.

Mr. CRENSHAW. I'm just trying to understand. I know you've got the two light bulbs there. Now, the one on the right, that's the one that's got mercury in it.

Mr. THOMPSON of Pennsylvania. That's correct.

Mr. CRENSHAW. Now, the one on your left, and that's made in America?

Mr. THOMPSON of Pennsylvania. That's made in America.

Mr. CRENSHAW. And that's just as efficient as the one in your right hand?

Mr. THOMPSON of Pennsylvania. It meets the efficiency standards that were—our manufacturers, when those were set by previous Congresses before my time here, our manufacturers, they stepped to the plate and they rose up and they chose to use innovation in their manufacturing. And this is one example of one product that's absolutely energy efficient, no mercury and American-made.

Mr. CRENSHAW. And you can still buy those at the store?

Mr. THOMPSON of Pennsylvania. That's correct.

The CHAIR. The time of the gentleman has expired.

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

Mr. Chairman, the utilization of what you call the curlicue and the other light bulb, I guess the question would remain, in terms of efficiency and sustainability, how long of a lifetime does what you call the curlicue light bulb have versus the other one? It seems to me that when I'm a shopper and I look at prices and I look at the number of hours that it's going to be up there, the number of hours that the newer bulbs have exceed anything that I've seen before.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield?

Mr. HONDA. Yes, but let me finish here. I just wanted to make sure that we don't confuse what we call efficiency with sustainability. I think the sustainability is also a piece that we should be looking at. The production of it, I think, is important, and I don't fight you on the point that we should make more stuff here. We should, and we will. I think that there are more products in Lowe's and Orchard Supply and places like that that exhibit that we are making more of that here.

I yield to the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. I agree with the gentleman. Return on investment for consumers is important. In my experience with these bulbs, frankly, their durability is excellent. That is one of the things I think that innovation within light bulbs, our light bulb manufacturers have addressed, not just energy efficiency, but also durability, so that we have a bulb, an American-made product, that has a great return on investment for our consumers. That's all important. I couldn't agree with you more.

Mr. HONDA. Mr. Chairman, the wording of the gentleman's amendment says none of the funds made available in this act may be used to purchase, acquire, install, and use any medium screw-based compact florescent lamp or light. It also feels like the argument is about whether we can continue to purchase, or are we going to just allow these bulbs that we have in place to stay in place and not ever be removed.

So I think that, one, it's confusing. Two, I'm not sure that we're going to really attain this position of efficiency and sustainability under this amendment that is presented here.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. THOMPSON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. HONDA. 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 Pennsylvania will be postponed.

AMENDMENT NO. 16 OFFERED BY MR. HANNA

The CHAIR. It is now in order to consider amendment No. 16 printed in House Report 112–173.

Mr. HANNA. 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:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle in an aggregate amount that exceeds $1,000 for the vehicle in any month.

The CHAIR. Pursuant to House Resolution 359, the gentleman from New York (Mr. HANNA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HANNA. Mr. Chairman, right now our Nation is seriously debating its fiscal future. We're making tough decisions to get spending under control. Congress should do the same.

This spending bill for Congress allows us an opportunity to practice what we preach when it comes to excessive spending on the taxpayer dime.

My amendment is quite simple. It states that the CAO may not make MRA payments for the leasing of a vehicle in an amount that exceeds $1,000 per month. It applies only to individual Member office accounts and would not affect the Capitol Police or other legislative agencies. It would not affect periodic car rentals, and it does not, it is not the intention of the amendment to affect mobile offices.

This is about preventing the leasing of expensive luxury cars. Currently, there is no cap on how much Members can spend on leased cars. The only requirement is that cars meet certain fuel standards.

This amendment installs a $1,000 monthly cap. Members of Congress have 2-year terms, which could require a slightly more expensive short-term lease. This amendment accounts for that.

I believe the majority of this body and most Americans can agree that $1,000 a month for a car is more than reasonable. We do not need to be spending the taxpayers dollars leasing expensive luxury vehicles, and certainly not during these tough economic times.

I would also note that the Senate does not offer any car leasing whatsoever. If Senators can go without car leases, Members of the people's House can get by with less expensive cars.

Wasting taxpayer dollars sends the wrong message to the American public. It only serves to further erode our constituents' faith in us, their elected Representatives.

I urge my colleagues to support this commonsense, cost-conscious amendment.

Mr. CRENSHAW. Will the gentleman yield?

Mr. HANNA. I yield to the gentleman from Florida.

Mr. CRENSHAW. I just want to say that I think that's a good amendment. And I think some of the people that are concerned about the reduction in the MRA, then they won't have to worry about the extra $1,000 that they were going to spend leasing a car because they won't be able to do that anymore under your amendment.

Mr. HANNA. They won't have it anyway, right?

Mr. CRENSHAW. So we have no objection, and accept the amendment.

Mr. HONDA. Will the gentleman yield?

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

Mr. HONDA. I have no objection. I just have a quick comment that I'm okay with including this prohibition. I think the Committee on the House Administration should review this issue and consider making a permanent change to House leasing policy, rather than having the Appropriations Committee carry this temporary fix.

Mr. HANNA. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HANNA).

The amendment was agreed to.

Mr. CRENSHAW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HANNA) having assumed the chair, Mr. WOODALL, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

Mr. CRENSHAW. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2551 pursuant to House Resolution 359, the following amendments be permitted to be offered out of the specified order:

Amendment No. 10 by Mr. FLAKE; amendment No. 11 by Mr. FLAKE.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 359 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2551.

□ 2120

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 further consideration of the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, with Mr. WOODALL in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, amendment No. 16 printed in House Report 112–173 by the gentleman from New York (Mr. HANNA) had been disposed of.

AMENDMENT NO. 10 OFFERED BY MR. FLAKE

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 10 printed in House Report 112–173.

Mr. FLAKE. 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:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act for Members' representational allowances or for official mail for committees and leadership offices of the House of Representatives may be used for any mailing that does not bear the official letterhead of the Member, committee, or office involved, other than a publication or document produced by another office of the Government or by an office of a State or local government that is included with such a mailing.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would simply require that all mail sent by Members, committees, and leadership offices be on the official letterhead of the sending office. This amendment would not prevent Members from sending mass mailings or the so-called ''499s.''

The specific intent of the amendment is to prohibit the use of the four-color glossy mailers that Members occasionally send and that are paid for at taxpayer expense. They are virtually indistinguishable at times from campaign mailers. If I were to hold up an example of franked mail sent out at taxpayer expense with a little tiny disclaimer there saying ''paid for at taxpayer expense''—four-color glossy with a big touched-up photo of the Member standing there, typically—you would not be able to tell the difference, unless you looked very, very closely, between that and campaign mailers that are sent out and paid for at the campaign expense.

I think that in this era, particularly given the budget constraints that we're under, for Members of Congress to be sending out what is essentially campaign mail at taxpayer expense should be forbidden. We shouldn't be able to do that.

We have certain rules that even prohibit the mailing of these mailers within 90 days of an election. So we recognize as a body, as an institution, that these are essentially instruments of a campaign; yet we allow it before 90 days. I would say that we are already drawing a line. That line is simply drawn in the wrong place. We should prohibit these four-color glossy mailers from being sent out at taxpayer expense.

With that, I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

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

What are we going to do about three-color mailers? How about two-color mailers?

I appreciate what the gentleman is trying to do, and we have rules and regulations in this House, but I don't think we ought to micromanage these MRA accounts. We've talked a lot about them, about the fact that we have reduced them by 6.4 percent, and people have said, gee, I might have to lay off somebody; or now we learn that, since you can lease a car, they might have to give up the lease on their car.

Some people say, I love to send out mail, and whether they send out mail on their letterhead—actually, that might cost more than a postcard. I guess under this amendment you couldn't send out a postcard—it's a little bit cheaper—because it wasn't printed on special stationery.

So I really don't think we ought to get in the business of saying what we can send out and what we can't send out. As long as the Members comply with the rules of this House, if they want to spend more money on a more attractive piece of mail that people might very well read, then they ought to be free to do that. If they want to print it on official stationery in blue or black or whatever color ink they want to use, they ought to be able to do that.

Some people think if you put a picture or a chart, people might pay more attention. And if you look at the rules of this House, we've got rules and regulations of how big the charts can be, how big the pictures can be, how big the letters in your name can be. Because I think the point is that we want to communicate with our constituents. If we want to mail them a newsletter, I think we ought to be able to do that, and it ought to be in a way that they would like to read it.

So I don't think we ought to get into the business of telling the Members exactly what they can do and when they can do it and what color it is. I think the rules of this House provide adequate protection, and so I have to oppose my good friend's amendment.

I reserve the balance of my time.

Mr. FLAKE. May I inquire as to the time remaining?

The CHAIR. The gentleman has 3 minutes remaining.

Mr. FLAKE. I thank the gentleman.

I would simply say in response that the gentleman says that we shouldn't be in the business of telling Members what they can mail and when they can mail it. We already are in that business. We do that. We already have a line drawn, 90 days before an election, and we say you can't mail these four-color glossy brochures after 90 days because it would be seen and perceived as electioneering. But what about 91 days before an election?

We have an office here that tells the Members what words they can use to describe a Medicare benefit or some bill that has been passed. If you use it in one way, they say that's disallowed. We shouldn't be in that business. That's the business we shouldn't be in. And we wouldn't be in that business if we just said, hey, don't do electioneering at taxpayer expense.

We all know, believe me, when you see those four-color glossies, you know that's a campaign mailer at taxpayer expense. So we're not fooling anybody by saying we have rules that prohibit it, and let's just stick to the rules of the House.

We do have lines that are drawn; they're just drawn in the wrong place. And I can tell you nothing feeds the cynicism around the country about us, Members of Congress, than to get one of those mailers and see the tiny print there, ''Paid for at taxpayer expense.'' We shouldn't be in that business.

During the fiscal year 2010 appropriations process the newspaper Roll Call noted that: The House Chief Administrative Officer asked appropriators to raise the Members' Representational Allowances, or MRA, which fund everything needed to run offices, including salaries, travel and supplies, by $90 million, citing increases due to the election year cycle.

Now, why would an election year cycle be any more expensive than any other? It's because Members all rush to get these glossy mailers out before the 90-day deadline. And we send the 499s. We send 499, you know why? Because anything over 500 is prohibited, so Members will send 499 of them. It's electioneering. We know it. We're not fooling anybody.

We ought to draw the line back a bit so we don't feed this cynicism around the country that says that incumbents have advantages that challengers or others running in these races every 2 years don't. And that's the truth.

Speaking here as an incumbent, we have enough advantages, believe me. We can get on television whenever we want. We can stand here at the pulpit late at night, or otherwise, and offer amendments. We can get our mug on television all we want to. We shouldn't have the advantage of sending out four-color glossy mailers at taxpayer expense. That's what this amendment is about, and I urge adoption of it.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I'm going to yield some time to Mr. HONDA, but I just can't help but realize that you can't mail any mass mailings, whether they're black and white, whether they're four color, eight color, ten color. So I appreciate what the gentleman is trying to do, but he's not going to stop people from sending out newsletters. They can send them out in black and white even if his amendment passed.

Once again, this doesn't save any money. I just think, clearly, Members have these MRAs. They can utilize the money to communicate the best way they can as long as they comply with the rules. And the rules say you can't send out a mass mailer 90 days before an election, whether it's black and white, one color, two colors, four colors, eight colors.

I yield 1 minute to the gentleman from California (Mr. HONDA).

□ 2130

Mr. HONDA. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Flake amendment will prevent Members from sending mailings that do not use official letterhead. The Committee on House Administration handles franking, not one individual Member who has decided that he does not like the mailing system of other Members.

What the gentleman is trying to prevent is an eligible activity under franking guidelines. I would remind the gentleman that he is now a Member of the majority party. He should reach out to his leadership to change the House franking regulations if he has such a problem.

I do not believe in a one-man regulatory body, and I certainly do not believe one Member should dictate how another Member communicates with his or her constituents. I oppose the amendment on the grounds that the gentleman from Arizona is impinging on individual Members' choices in how they communicate with their constituents.

As I said before, the Committee on House Administration has all those guidelines; and the guidelines even make my job a little tight sometimes, but there is a purpose for the guidelines that they give us, and that is to distinguish between campaigns and making sure there are time lines prior to campaigns. So I appreciate his efforts, but I still oppose the amendment.

Mr. CRENSHAW. Mr. Chairman, I urge a ''no'' vote, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT NO. 11 OFFERED BY MR. FLAKE

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 11 printed in House Report 112–173.

Mr. FLAKE. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. 211. None of the funds made available in this Act for Members' representational allowances or for the expenses of committees and leadership offices of the House of Representatives may be used to purchase advertisements that hyperlink to any website maintained by funds provided under a Members' representational allowance, funds provided for salaries and expenses of committees of the House, or funds provided for salaries and expenses of leadership offices of the House.

The CHAIR. Pursuant to House Resolution 359, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would prohibit Members from purchasing online advertisements that link to a Web site that is maintained by their MRA.

This appropriations bill will fund the legislative branch through much of the next election cycle. We all know, as I said before, incumbents tend to have a natural advantage over challengers in elections; 98 percent of incumbents are typically reelected. It is largely due to the benefits that we currently have. We shouldn't try to make those better than they are naturally.

Members are allowed to use funds in order to design and obtain an official Web site through house.gov. That is perfectly appropriate, and I am glad we are able to do that. We all have our Web sites that we maintain using our funds, and people should be able to contact their Members of Congress, and that is the easiest way to contact us at this point.

Members are also allowed to maintain various profiles on social networking sites such as Facebook, Twitter, Google Plus, and ones that will be created in the future. Aside from the salaries and expenses of a Member's staff and computers, maintaining a social networking profile doesn't cost anything to the taxpayers.

However, some Members have been using official funds to pay for ads that link either to their official Web site or to one of their social networking profiles. I would submit that while it may serve our purposes, by its very nature, purchasing advertising provides a Member an opportunity for promotion that facilitates greater name identification. Is not broadening name recognition and identification a classic responsibility of a Member's campaign activities?

If there is even a chance that taxpayer money on online ads could be viewed by Members as promoting themselves for campaign purposes, we should not allow it. Especially now that we are in this budget crisis, we shouldn't be allowing Members to use their MRA or taxpayer money to purchase advertising to drive people to their official sites or their social networking sites.

I reserve the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. CRENSHAW. Mr. Chairman, this is similar to the last amendment. Members have an MRA. They can spend the money as long as it is under the rules of the House. They can hire staff. They can travel back and forth to their districts, and they can send out letters. And now that we have the Internet, you can use the Internet to communicate with your constituents.

We shouldn't prohibit communication from a Member to a constituent. Certainly no one believes that you ought to be able to use taxpayer dollars to buy political advertising, but I think the rules allow a Member to notify constituents of a town meeting coming up. He can send out a postcard or a four-color flier. He can send out a letter on his letterhead. If a Member wants to announce that they are seeking applications for appointments to military academies, they can notify people by mail or on the Internet.

So I think we have adequate rules and regulations that make sure that we are not abusing the taxpayers' dollars. And remember, these are dollars that are provided to the Members; and so when you micromanage how they spend it, it doesn't save any money. It just adds a layer of us telling Members how they can do things. And that is not our business.

Again, I urge we defeat this amendment.

I reserve the balance of my time.

Mr. FLAKE. I would say in response that we already have lines that we have drawn. We don't allow Members simply to advertise out on the Internet like a campaign would. That's paid for by campaign activities, not by taxpayer dollars. Yet this is something that has grown and evolved just over the past couple of years, the ability to buy advertisements that drive people to your Web site. This isn't something that we could have foreseen 10 years ago. It has just evolved. We need to bring our regulations in line with current technology.

I would submit that buying online advertising to basically increase your name identification should be beyond what our official money should be used for. There are plenty of ways that Members can announce town halls, service academy nominations, seminars, or any other event that they need to host without buying online advertising with taxpayer dollars. That's what this amendment is about.

The gentleman before brought up a point: Why don't we just take this kind of thing to the Franking Commission or to the administration of the House and say let's change the rules rather than doing it here?

I can tell you why. Typically, there is a partisan environment against spending or against this or against that where you have some kind of debate. But in this case, Republicans and Democrats work together to protect incumbents because we are all incumbents here. Unless you can let the public know what is going on in a forum like this which you don't get when you just go to the Franking Commission, you don't get change.

I can tell you that sending out four-color glossy brochures, as I mentioned in the last amendment, or buying online advertising to direct people to your official site does not pass the smell test or the laugh test outside the Beltway in terms of what taxpayer money should be spent on.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. CRENSHAW. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, this amendment would prevent Members from purchasing advertising that hyperlinks to their official Web sites. It is unclear what the gentleman from Arizona is attempting to do. His amendment seems to sanction the advertisement as long as the link is to a nonofficial Web site of a Member. But why would a Member link an advertisement highlighting official events to his or her Facebook pages instead of to their House Web site?

This amendment also could make ads more expensive if Members have to put more information in the ads rather than linking them to their House Web site. So while the Member focuses on online advertisements, his amendment actually pertains to all advertisements. It is not clear if this amendment would be interpreted to prevent Members from showing their Web site link on television ads that are used to inform constituents of official events. These advertisements are sanctioned by House administration, and there are seven points that we have to follow.

So I would say that this amendment is not clear in its scope and impact, and it is in contravention of the majority's guidelines on how Members can use their MRA funding.

Mr. CRENSHAW. Mr. Chairman, in closing, it was pointed out that technologies have advanced, and I think the House has stayed current. In 2009, the rules were modified to make sure that these franking rules, these rules that govern communication, apply to the Internet as well.

□ 2140

So we have adequate safeguards in place. We don't need to be micromanaging that. We let the rules of the House prevail.

I urge a ''no'' vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

Mr. CRENSHAW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLAKE) having assumed the chair, Mr. WOODALL, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2551) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFITH of Virginia (at the request of Mr. CANTOR) for today on account of family reasons.

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today until 3:30 p.m.

Mr. ELLISON (at the request of Ms. PELOSI) for today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1103. An act to extend the term of the incumbent Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 41 minutes p.m.), the House adjourned until tomorrow, Friday, July 22, 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:

2575. A letter from the Associate General Counsel for Legislation and Regulation Divisions, Department of Housing and Urban Development, transmitting the Department's final rule — SAFE Mortgage Licensing Act: Minimum Licensing Standards and Oversight Responsibilities [Docket No.: FR-5271-F-03] (RIN: 2502-A170) received July 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2576. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Exemptions for Security-Based Swaps (RIN: 3235-AL17) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2577. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Automotive Fuel Ratings Certification and Posting received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2578. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-53; Small Entity Compliance Guide [Docket FAR 2011-0075] received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2579. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Uniform Suspension and Debarment Requirement [FAC 2005-53; FAR Case 2009-036; Item III; Docket 2010-0109, Sequence 1] (RIN: 9000-AL75) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2580. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Extension of Sunset Date for Protests of Task and Delivery Orders [FAC 2005-53; FAR Case 2011-015; ITEM IV; Docket 2011-0015, Sequence 1] (RIN: 9000-AM08) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2581. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Encouraging Contractor Policies to Ban Text Messaging While Driving [FAC 2005-53; FAR Case 2009-028; ITEM V; Docket 2010-0097, Sequence 1] (RIN: 9000-AL64) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

2582. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — West Virginia Regulatory Program [WV-117-FOR; OSM-2011-0006] received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2583. A letter from the Assistant Chief Counsel for Hazardous Materials Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revision to the List of Hazardous Substances and Reportable Quantities [Docket No.: PHMSA-2011-0102 (HM-145O)] (RIN: 2137-AE47) received July 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2584. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Partial Exchange of Annuity Contracts (Rev. Proc. 2011-38) received July 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 966. A bill to amend rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; with an amendment (Rept. 112–174). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1670. A bill to amend the Sikes Act to improve the application of that Act to State-owned facilities used for the national defense; with an amendment (Rept. 112–175, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 363. Resolution providing for consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. 112–176). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration.

H.R. 1670 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LATHAM:

H.R. 2605. A bill to specify that certain obligations of the United States shall be prioritized in the event that the debt ceiling is reached; to the Committee on Ways and Means.

By Mr. GRIMM (for himself and Mr. MEEKS):

H.R. 2606. A bill to authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes; to the Committee on Natural Resources.

By Ms. WOOLSEY:

H.R. 2607. A bill to provide protection for children affected by the immigration laws of the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri (for himself and Ms. VELÁZQUEZ):

H.R. 2608. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business.

By Mr. COHEN (for himself, Mr. BLUMENAUER, and Mr. CONNOLLY of Virginia):

H.R. 2609. A bill to establish an Office of Livability in the Office of the Secretary of Transportation, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FRANK of Massachusetts (for himself, Mr. JONES, Mr. TIERNEY, Mr. GUINTA, Mr. MARKEY, Ms. PINGREE of Maine, Mr. KEATING, Mr. LYNCH, Mr. COURTNEY, Mr. MICHAUD, Mr. MCINTYRE, Mr. PALLONE, and Mr. MCGOVERN):

H.R. 2610. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to reform procedures for the payment of funds from the asset forfeiture fund, and for other purposes; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Mr. LUJÁN, Mr. POLIS, Mr. BACA, and Mr. PIERLUISI):

H.R. 2611. A bill to amend the Workforce Investment Act of 1998 to prepare individuals with multiple barriers to employment to enter the workforce by providing such individuals with support services, job training, and education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. MACK (for himself, Mr. GOSAR, Mr. GOWDY, and Mr. ROSS of Florida):

H.R. 2612. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal the authority of the Bureau of Consumer Financial Protection to prohibit certain acts or practices; to the Committee on Financial Services, 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. 2613. A bill to repeal the Gun-Free School Zones Act of 1990 and amendments to that Act; to the Committee on the Judiciary.

By Mr. PAUL:

H.R. 2614. A bill to amend the Internal Revenue Code of 1986 to allow distributions from retirement accounts to start a business; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 2615. A bill to restore the second amendment rights of all Americans; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2616. A bill to provide for the safety of United States aviation and the suppression of terrorism; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, 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. POLIS (for himself and Ms. CHU):

H.R. 2617. A bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students; to the Committee on Education and the Workforce.

By Mr. QUIGLEY:

H.R. 2618. A bill to enahnce certain prohibitions and penalties relating to certain forms of firearms trafficking; to the Committee on the Judiciary.

By Mr. ROONEY (for himself and Mr. DEUTCH):

H.R. 2619. A bill to direct the Secretary of Veterans Affairs to ensure that law enforcement personnel charged with security functions at Department of Veterans Affairs medical centers receive active shooter training; to the Committee on Veterans' Affairs.

By Mr. SCHWEIKERT (for himself, Mr. GRIJALVA, Mr. FRANKS of Arizona, Mr. PASTOR of Arizona, Mr. COLE, and Mr. DENHAM):

H.R. 2620. A bill to provide for treatment of members of a certain Indian tribe under the Native American Housing Assistance and Self-Determination Act of 1996; to the Committee on Financial Services.

By Mr. TIPTON:

H.R. 2621. A bill to establish the Chimney Rock National Monument in the State of Colorado, and for other purposes; to the Committee on Natural Resources.

By Mr. WOLF:

H.R. 2622. A bill to amend title 49, United States Code, to establish a 10-year term of office for any individual appointed as the Assistant Secretary of Homeland Security (Transportation Security Administration), and for other purposes; to the Committee on Homeland Security.

By Mr. AMASH (for himself, Mr. BENISHEK, Mr. CAMPBELL, Mr. CULBERSON, Mr. FLAKE, Mr. GARDNER, Mr. GIBSON, Mr. GOSAR, Mr. GOWDY, Mr. GRAVES of Georgia, Mr. HULTGREN, Mr. KINGSTON, Mr. LABRADOR, Mr. LIPINSKI, Mr. MULVANEY, Mr. NUGENT, Mr. POMPEO, Mr. RIBBLE, Mr. SOUTHERLAND, Mr. WALSH of Illinois, and Mr. WOODALL):

H.J. Res. 73. A joint resolution proposing a spending limit amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FATTAH (for himself, Mr. DAVIS of Illinois, Mr. CLARKE of Michigan, Mr. DAVID SCOTT of Georgia, Mr. AL GREEN of Texas, Mr. SCOTT of Virginia, Mr. CLEAVER, Mr. MEEKS, Mr. LEWIS of Georgia, Mr. RANGEL, and Mr. HINCHEY):

H. Con. Res. 66. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to celebrate the life of Dr. Martin Luther King, Jr., and recognize the Alpha Phi Alpha Fraternity for its work to erect a monument to the civil rights leader; to the Committee on House Administration.

By Ms. WATERS (for herself, Mrs. CHRISTENSEN, Ms. BORDALLO, Ms. ROYBAL-ALLARD, Mr. FRANK of Massachusetts, Ms. LEE, Mr. RANGEL, Mr. COHEN, Mr. TOWNS, Mr. CONYERS, Ms. RICHARDSON, Ms. WILSON of Florida, Mr. DAVIS of Illinois, Ms. NORTON, Ms. JACKSON LEE of Texas, Mr. BACA, Mr. ISRAEL, Mr. RUSH, Mr. CLARKE of Michigan, Ms. SPEIER, Mr. ELLISON, Mr. POLIS, Mr. HASTINGS of Florida, Mr. CICILLINE, and Mr. FILNER):

H. Res. 362. A resolution supporting the goals and ideals of National Clinicians HIV/AIDS Testing and Awareness Day, and for other purposes; to the Committee on Energy and Commerce.

By Ms. WASSERMAN SCHULTZ (for herself, Mr. MCDERMOTT, Mr. HANNA, Mr. HOLT, Mrs. CAPPS, Mr. MCCAUL, Mr. CULBERSON, Mr. ROE of Tennessee, Ms. SCHAKOWSKY, Mr. BARTLETT, Mr. GERLACH, Mr. POE of Texas, Mr. ELLISON, Mr. COOPER, Mr. ROONEY, Mr. GRIMM, Mr. ALTMIRE, Mr. NADLER, Mr. LIPINSKI, Mr. PEARCE, Mr. GIBSON, Mr. GUTIERREZ, Mr. PETERS, Mrs. EMERSON, Mrs. BONO MACK, Mr. MACK, Mr. BARTON of Texas, Mr. CAMPBELL, Mr. FINCHER, Mr. DESJARLAIS, Mr. STUTZMAN, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mrs. NOEM, Mr. SENSENBRENNER, Mr. DOLD, Mr. CAMP, Mr. CRAWFORD, Mr. GUINTA, Mr. SCHWEIKERT, Mr. FLAKE, Mr. QUAYLE, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. GRIJALVA, Mr. PASTOR of Arizona, Mr. SHIMKUS, Mr. SMITH of Washington, Mr. PAULSEN, Mr. RIVERA, Mr. THOMPSON of Pennsylvania, Mr. BARLETTA, Mr. SCHOCK, Mr. WAXMAN, Mr. ISRAEL, Ms. JACKSON LEE of Texas, Mr. COHEN, Mr. PIERLUISI, Ms. BORDALLO, Mr. HASTINGS of Florida, Mrs. NAPOLITANO, Mr. OWENS, Ms. LORETTA SANCHEZ of California, Mr. HINCHEY, Ms. BASS of California, Mr. HOLDEN, Mr. OLVER, Ms. NORTON, Ms. MOORE, Mr. FARR, Mr. LEWIS of Georgia, Ms. PINGREE of Maine, Mr. BUTTERFIELD, Mr. LANGEVIN, Mr. CARDOZA, Mr. WALZ of Minnesota, Mrs. MALONEY, Mr. JACKSON of Illinois, and Ms. SPEIER):

H. Res. 364. A resolution designating room HVC 215 of the Capitol Visitor Center as the ''Gabriel Zimmerman Meeting Room''; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. LATHAM:

H.R. 2605.

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

Article I, Sections 8 and 9 of the Constitution of the United States.

By Mr. GRIMM:

H.R. 2606.

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

Article IV, Section 3, Clause 2

By Ms. WOOLSEY:

H.R. 2607.

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

Article I, Section 1

By Mr. GRAVES of Missouri:

H.R. 2608.

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

Art. 1, §8, c1.3 ''To regulate commerce among foreign nations and the several states.''

By Mr. COHEN:

H.R. 2609.

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

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. FRANK of Massachusetts:

H.R. 2610.

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

Section 8 of article I of the Constitution.

By Mr. GRIJALVA:

H.R. 2611.

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

U.S. Const. art. I, §§1 and 8.

By Mr. MACK:

H.R. 2612.

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

Article I, Section 8

By Mr. PAUL:

H.R. 2613.

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

This act is justified by the lack of a mandate or assertion of authority in the United States Constitution for the federal government to establish the laws affected in this act, by Article One of the United States Constitution that grants legislative powers, by the Second Amendment of the United States Constitution that recognizes the right to bear arms, and by the Ninth Amendment and Tenth Amendment of the United States Constitution that recognize that rights and powers are retained and reserved by the people and the states.

By Mr. PAUL:

H.R. 2614.

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

The Sixteenth Amendment, which gives Congress the power to lay and collect taxes, clearly gives Congress the authority to allow Americans to use funds from tax-free savings accounts to create new business and create new jobs.

By Mr. PAUL:

H.R. 2615.

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

This act is justified by the lack of a mandate or assertion of authority in the United States Constitution for the federal government to establish the laws affected in this act, by Article One of the United States Constitution that grants legislative powers, by the Second Amendment of the United States Constitution that recognizes the right to bear arms, and by the Ninth Amendment and Tenth Amendment of the United States Constitution that recognize that rights and powers are retained and reserved by the people and the states.

By Mr. PAUL:

H.R. 2616.

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

This act is justified by the lack of a mandate or assertion of authority in the United States Constitution for the federal government to establish the laws affected in this act, by Article One of the United States Constitution that grants legislative powers, by the Second Amendment of the United States Constitution that recognizes the right to bear arms, and by the Ninth Amendment and Tenth Amendment of the United States Constitution that recognize that rights and powers are retained and reserved by the people and the states.

By Mr. POLIS:

H.R. 2617.

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

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. QUIGLEY:

H.R. 2618.

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

Article I, Section 8.

By Mr. ROONEY:

H.R. 2619.

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

Clause 18 of Section 8 of Article 1 of the Constitution

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. SCHWEIKERT:

H.R. 2620.

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

Article I, Section 8, Clause 3 states that Congress has the authority to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. TIPTON:

H.R. 2621.

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

Article I. Section 8 of the United States Constitution: to make rules for the government and regulation of land.

By Mr. WOLF:

H.R. 2622.

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 provide for the common defense, as enumerated in the Preamble of the United States Constitution.

By Mr. AMASH:

H.J. Res. 73.

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

This resolution is enacted pursuant to the powers conferred by the United States Constitution upon Congress by

Article V, which provides that ''The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . . which shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States . . .''

ADDITIONAL SPONSORS

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

H.R. 10: Mr. MARCHANT.

H.R. 11: Mr. RAHALL.

H.R. 23: Mr. CRITZ.

H.R. 58: Mr. CASSIDY, Mr. BOSWELL, and Mr. UPTON.

H.R. 87: Mr. BROUN of Georgia.

H.R. 107: Mr. SCOTT of Virginia.

H.R. 139: Mr. WAXMAN.

H.R. 178: Mr. BISHOP of New York.

H.R. 181: Mr. RUPPERSBERGER.

H.R. 332: Mr. FARR.

H.R. 333: Mr. GENE GREEN of Texas.

H.R. 365: Mr. HEINRICH.

H.R. 397: Mr. FITZPATRICK.

H.R. 420: Mr. DANIEL E. LUNGREN of California, Mr. WOODALL, Mr. SMITH of Texas, Mr. UPTON, Mr. PAUL, Mr. BONNER, and Mr. JOHNSON of Illinois.

H.R. 452: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DUFFY, Mr. SHUSTER, Mr. BISHOP of Utah, Mr. TIPTON, Mr. KING of New York, and Mr. FORBES.

H.R. 456: Ms. CHU and Mr. MEEHAN.

H.R. 459: Mr. HINCHEY and Mr. MEEHAN.

H.R. 539: Mr. JOHNSON of Georgia.

H.R. 540: Mr. SCHIFF.

H.R. 645: Mr. GRIFFIN of Arkansas, Mr. UPTON, and Mr. BOSWELL.

H.R. 674: Mr. ROGERS of Michigan, Mr. BENISHEK, Mr. REED, Mr. ROSS of Arkansas, and Mr. WOMACK.

H.R. 679: Mr. RAHALL.

H.R. 718: Mr. BOREN, Mr. BLUMENAUER, Mr. LUETKEMEYER, Mr. OLVER, and Mr. HOLDEN.

H.R. 719: Mr. PERLMUTTER, Ms. DEGETTE, and Mr. HOLT.

H.R. 734: Mr. HUNTER.

H.R. 735: Mr. DAVIS of Kentucky and Mr. POMPEO.

H.R. 748: Mr. RUNYAN.

H.R. 808: Mrs. CHRISTENSEN.

H.R. 812: Mr. ANDREWS, Mr. GONZALEZ, and Mr. CRITZ.

H.R. 835: Ms. VELÁZQUEZ.

H.R. 860: Mr. MILLER of Florida, Ms. SEWELL, Mr. DOLD, Mr. POLIS, Mr. MCCLINTOCK, and Mr. HINCHEY.

H.R. 855: Mr. BLUMENAUER, Mr. YARMUTH, and Mr. COHEN.

H.R. 891: Mr. DOGGETT.

H.R. 959: Mr. SIRES.

H.R. 972: Mr. POMPEO.

H.R. 973: Mr. AUSTIN SCOTT of Georgia and Mr. CAMP.

H.R. 992: Mr. RAHALL.

H.R. 1042: Mr. CONAWAY and Mrs. BLACKBURN.

H.R. 1050: Mr. FITZPATRICK.

H.R. 1063: Mr. CONNOLLY of Virginia.

H.R. 1080: Mr. CLEAVER.

H.R. 1084: Mr. BRADY of Pennsylvania and Ms. LEE.

H.R. 1093: Mr. BOSWELL, Mr. MCKINLEY, Mr. CASSIDY, and Mr. QUAYLE.

H.R. 1154: Mr. ROTHMAN of New Jersey.

H.R. 1164: Mr. BILBRAY.

H.R. 1195: Mr. WELCH.

H.R. 1219: Mr. CLEAVER.

H.R. 1236: Mr. LOBIONDO, Ms. BUERKLE, Mr. GRIJALVA, and Mr. SIRES.

H.R. 1259: Mr. WALDEN, Mr. KINZINGER of Illinois, and Mr. CONAWAY.

H.R. 1265: Ms. JENKINS, Mr. MARCHANT, and Mr. REHBERG.

H.R. 1288: Mr. DEUTCH and Mr. BRALEY of Iowa.

H.R. 1307: Mr. BILBRAY.

H.R. 1327: Ms. BALDWIN, Mr. LUCAS, Mr. DENT, Mr. ELLISON, Mr. THOMPSON of Mississippi, Mr. KILDEE, Mr. JOHNSON of Georgia, Mr. BOREN, and Mr. CONNOLLY of Virginia.

H.R. 1330: Mr. JOHNSON of Ohio.

H.R. 1348: Mr. SARBANES, Mr. OWENS, and Mr. PASCRELL.

H.R. 1381: Mr. CLEAVER.

H.R. 1386: Mr. CLEAVER and Mr. GONZALEZ.

H.R. 1394: Mr. COURTNEY, Mr. YARMUTH, Mr. MICHAUD, Ms. CASTOR of Florida, and Mr. WHITFIELD.

H.R. 1417: Ms. JACKSON LEE of Texas, Mr. WHITFIELD, Mr. GRIJALVA, and Mrs. NAPOLITANO.

H.R. 1418: Mr. PALLONE and Mr. CAMPBELL.
H.R. 1426: Mr. THOMPSON of Pennsylvania, Mrs. NAPOLITANO, Mr. LUJÁN, Mr. PERLMUTTER, and Mr. CAPUANO.
H.R. 1449: Mr. FITZPATRICK.
H.R. 1466: Mr. HINOJOSA, and Mr. LUJÁN.
H.R. 1479: Ms. MCCOLLUM.
H.R. 1489: Mrs. CHRISTENSEN and Mr. AL GREEN of Texas.
H.R. 1546: Mr. NADLER, Ms. MCCOLLUM, and Mr. MURPHY of Pennsylvania.
H.R. 1550: Ms. LEE.
H.R. 1558: Mr. LATHAM and Mr. FLEMING.
H.R. 1580: Ms. HERRERA BEUTLER and Ms. SEWELL.
H.R. 1623: Mr. LARSON of Connecticut, Mr. RANGEL, and Mr. BISHOP of Georgia.
H.R. 1633: Mrs. MILLER of Michigan.
H.R. 1648: Mr. WAXMAN, Mr. LEWIS of Georgia, and Mr. CLEAVER.
H.R. 1659: Mr. MURPHY of Connecticut.
H.R. 1684: Mr. VISCLOSKY and Mr. RAHALL.
H.R. 1704: Mr. CAPUANO and Mr. REICHERT.
H.R. 1735: Ms. TSONGAS.
H.R. 1744: Mr. DOLD and Mr. OLSON.
H.R. 1754: Mr. CONNOLLY of Virginia, Ms. WOOLSEY, Mr. WAXMAN, Ms. BORDALLO, Ms. ZOE LOFGREN of California, Mrs. CAPPS, and Mrs. MCCARTHY of New York.
H.R. 1756: Mr. FITZPATRICK.
H.R. 1761: Mr. FARR and Mr. HANABUSA.
H.R. 1792: Ms. NORTON.
H.R. 1802: Mr. ROTHMAN of New Jersey and Mr. ROSS of Arkansas.
H.R. 1815: Mr. SABLAN.
H.R. 1834: Mr. ROSS of Florida.
H.R. 1856: Mr. ROGERS of Alabama and Mr. COBLE.
H.R. 1885: Mr. FORBES and Mr. HARPER.
H.R. 1911: Mr. STUTZMAN.
H.R. 1932: Mr. BILBRAY.
H.R. 2019: Ms. PINGREE of Maine.
H.R. 2036: Mr. JOHNSON of Ohio.
H.R. 2056: Mr. MCINTYRE.
H.R. 2091: Mr. CRITZ.
H.R. 2092: Mrs. CAPITO.
H.R. 2094: Mr. REICHERT and Mr. PAYNE.
H.R. 2140: Mr. KILDEE.
H.R. 2159: Mr. MCGOVERN.
H.R. 2164: Mr. CULBERSON.
H.R. 2168: Mr. COBLE.
H.R. 2169: Mr. FILNER and Ms. ZOE LOFGREN of California.
H.R. 2182: Mr. BURGESS.
H.R. 2187: Mrs. DAVIS of California.
H.R. 2214: Mr. TIBERI.
H.R. 2223: Ms. SCHWARTZ.
H.R. 2236: Mr. NADLER.
H.R. 2245: Mr. LEWIS of Georgia.
H.R. 2250: Mr. DEFAZIO, Mr. SCHRADER, Mr. STIVERS, Mr. SHUSTER, Mr. MULVANEY, Mr. COBLE, Mr. CRITZ, Mr. MCHENRY, and Mr. KISSELL.
H.R. 2286: Mr. BLUMENAUER.
H.R. 2299: Mr. CAMP.
H.R. 2305: Mrs. MILLER of Michigan.
H.R. 2316: Ms. NORTON.
H.R. 2324: Mr. DEFAZIO and Mr. LARSEN of Washington.
H.R. 2334: Mr. RYAN of Ohio.
H.R. 2341: Ms. BROWN of Florida.
H.R. 2357: Mr. SHUSTER.
H.R. 2371: Mr. FINCHER.
H.R. 2380: Mr. BACA.
H.R. 2402: Mr. DANIEL E. LUNGREN of California and Mr. DIAZ-BALART.
H.R. 2418: Mr. COURTNEY.
H.R. 2442: Mr. LANKFORD.
H.R. 2444: Mr. BACA.
H.R. 2453: Mr. WOMACK.
H.R. 2492: Mr. FRELINGHUYSEN, Mr. KING of New York, Mr. CAMPBELL, Mr. DOGGETT, and Mr. GEORGE MILLER of California.
H.R. 2497: Mr. BILBRAY.
H.R. 2498: Mr. BISHOP of New York.
H.R. 2513: Mr. YARMUTH and Ms. WASSERMAN SCHULTZ.
H.R. 2514: Mr. CONAWAY, Mr. GARRETT, and Mr. POE of Texas.
H.R. 2527: Mr. CAMP.
H.R. 2529: Mr. MILLER of Florida and Mr. PETRI.
H.R. 2547: Ms. SCHAKOWSKY.
H.R. 2559: Ms. LEE and Mr. KIND.
H.R. 2571: Mr. OWENS.
H.R. 2581: Mr. CONAWAY, Mr. DANIEL E. LUNGREN of California, and Mr. JOHNSON of Ohio.
H.R. 2587: Mr. WALBERG, Mr. LANDRY, and Mr. WESTMORELAND.
H.R. 2594: Mrs. SCHMIDT, Mr. COBLE, Mr. GUINTA, Mr. BUCSHON, Mr. LANKFORD, Mr. GARY G. MILLER of California, Mr. MEEHAN, Mr. LONG, Mr. CRAWFORD, Mrs. MILLER of Michigan, Mr. FARENTHOLD, Mr. BURGESS, Mr. FLEISCHMANN, Mr. BARLETTA, Mr. GRAVES of Missouri, Mr. CRAVAACK, Mr. LARSEN of Washington, Mr. DEFAZIO, and Mr. SENSENBRENNER.
H.R. 2603: Mr. GARRETT.
H.R. 2604: Mr. VAN HOLLEN.
H.J. Res. 28: Ms. FUDGE, Ms. JACKSON LEE of Texas, Ms. LEE, Ms. MOORE, Mr. HASTINGS of Florida, Mr. CONYERS, and Mr. GRIJALVA.
H.J. Res. 29: Mr. CONYERS and Mr. GRIJALVA.
H.J. Res. 30: Mr. CONYERS, Mr. GRIJALVA, and Mrs. MALONEY.
H.J. Res. 31: Mrs. MALONEY.
H.J. Res. 32: Mr. CONYERS and Mr. GRIJALVA.
H.J. Res. 33: Mr. CONYERS and Mr. GRIJALVA.
H.J. Res. 34: Mr. CONYERS and Mr. GRIJALVA.
H.J. Res. 35: Mr. CONYERS and Mr. GRIJALVA.
H.J. Res. 36: Mr. CONYERS and Mr. GRIJALVA.
H.J. Res. 47: Ms. LORETTA SANCHEZ of California.
H. Con. Res. 63: Mr. KUCINICH and Mrs. MCCARTHY of New York.
H. Res. 16: Mr. FORBES and Mr. CAPUANO.
H. Res. 23: Mr. GRIFFIN of Arkansas.
H. Res. 136: Ms. LEE, Mr. BUTTERFIELD, Ms. RICHARDSON, Ms. WILSON of Florida, Ms. JACKSON LEE of Texas, Mr. RUSH, Mr. RANGEL, Mr. TOWNS, Ms. MOORE, Mrs. NAPOLITANO, and Mr. GRIJALVA.
H. Res. 282: Ms. WOOLSEY, Mrs. NAPOLITANO, Mr. BECERRA, Ms. LEE, and Mr. CARNEY.
H. Res. 298: Mr. CRENSHAW.
H. Res. 309: Mr. ROTHMAN of New Jersey.
H. Res. 332: Ms. WOOLSEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 605: Ms. BROWN of Florida.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2584

OFFERED BY: MR. PASTOR OF ARIZONA

AMENDMENT NO. 2: Page 141, beginning on line 12, strike section 445.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, THURSDAY, JULY 21, 2011 No. 110

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Simeon Spencer, senior pastor of Union Baptist Church in Trenton, NJ.

The guest Chaplain offered the following prayer:

Let us pray.

Creator God, we bow with thanksgiving for the privilege and call of service given the lawmakers of our great Nation. We are awed by the grace that brings us all to this place and the gravity of the work with which these elected officials have been entrusted. In the wonder of such grace and in the face of crucial hours, we confess now with humility the limits of human knowledge, of frailty of human ability, and the finitude of human ways. And so, in these moments we petition You, You the all-knowing for understanding, the all-powerful for strength, the everlasting to everlasting for endurance.

We pray that You will equip both the Members of this body and those who advise them with the gifts of Your Spirit, so that the work which brings them here might be executed in a manner worthy of Your holy Name, bring honor to the memory of those who have served before them, and inspire trust in those who have sent them. We wait now in hope for the fulfillment of faith that ''they that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; and they shall walk and not faint.''

These things we pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 21, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

CUT, CAP, AND BALANCE

Mr. MCCONNELL. Mr. President, the Senate will begin debate today on cut, cap, and balance, the plan approved earlier this week in the House. This means Senators will now have the opportunity to go on record either in support of balancing our books or against it.

This is an opportunity for everyone to take a stand. It is an opportunity to say that a government which borrows more than 40 cents of every $1 it spends is not sustainable and very much needs to change its ways. It is an opportunity to stand with those who believe Washington needs to heal its addiction to spending now, not make more false promises of spending restraint sometime later.

The President's veto threat of this legislation is telling. Many of us learned a long time ago to pay more attention to what this President does than what he says. Anyone who has witnessed his reckless spending habits over the past 2½ years or sat across the negotiating table with him over the past few weeks could be forgiven for being skeptical of his recent attempts to come across as a fiscal moderate.

I will just say this: There should be no doubt in anyone's mind that this President is as deeply committed to a government we cannot afford as he was on Inauguration Day.

That is why we have decided to bring our case directly to the American people with the cut, cap, and balance plan, which forces Washington to get its fiscal house in order with a constitutional amendment.

It is nice that some people are hoping the President has had a change of heart, but no one should be planning on it. Cut, cap, and balance cuts spending now, caps it in the future, and only raises the debt ceiling if it is accompanied by a constitutional amendment to balance the Federal budget.

That is what America wants, and it is what Washington needs. All we need is 20 Democrats to join us. At least 23 of them have led their constituents to believe they would fight for a balanced

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

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budget amendment. The White House has called for a balanced approach in this debate. This bill does not just suggest balance, it actually mandates it. So I strongly urge my Democratic friends to join us in supporting this legislation.

Let me note in closing another virtue of the cut, cap, and balance plan. It does not raise taxes. Why is this a good thing? There are many reasons Americans do not like tax hikes. First, they know government is bound to waste the money. Americans have seen what government does with new tax revenue: It wastes it on things such as turtle tunnels. Second, it never uses it to pay down deficits and debt. So if you are concerned about the size of our debt, then raising taxes is a sure way to ensure that nothing gets done about it—absolutely nothing.

The reason we have a debt crisis is government spends every cent it gets—and then some. Sending Washington more money will not solve the problem, it will enable it.

Our tax system certainly is not perfect. But until Washington can prove it is responsible with our tax dollars, we should not be sending it more of those tax dollars. That is why Republicans have focused on cuts in this debate, and that is why every one of us—Democrat and Republican—should support cut, cap, and balance.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 1395 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BARRASSO. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. REID. Mr. President, following leader remarks, I will move to proceed to H.R. 2560. The time until 2 p.m. today will be equally divided and controlled, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

We will have a full debate on this bill over the next few days. I hope we can accelerate the time. If people feel we have debated it enough, I hope we can move to some other matter.

CUT, CAP, AND BALANCE

Mr. REID. Mr. President, first, let me get this off my chest. Coming in today, I just heard the announcement that the House of Representatives is taking the weekend off. I have reached out to the Speaker. I have not had an opportunity to speak to him. But I want everyone who can hear my voice to understand that time is of the essence. We are running out of time.

Procedurally, things cannot move very quickly through the Senate under the best of circumstances, and when there are people who want to cause problems, it takes a long time to get things done. There are people who serve in the Senate who say they do not believe—and they will fight to make sure we do not—we should raise the debt ceiling. In fact, they are saying: Let's default on our debt.

I think this is a very bad picture for our country, to have the House of Representatives out this weekend when we have to likely wait for them to send us something because I understand that the negotiations taking place deal with revenues, which constitutionally have to start in the House of Representatives. So I think it is just untoward—that is the kindest word I can say—to have the House of Representatives out this weekend. What a bad picture that shows the country. We have 12 days before our Nation does the unthinkable, forever undermining the full faith and credit of our great country.

Members of Congress come from 50 different States, but we all serve one Nation. The American people deserve better than leaders who each stake out their own positions—sometimes radical positions—forsaking the good of the Nation. The American people expect us to find common ground no matter how difficult it may seem.

Every reasonable voice in America has warned us that a default on this Nation's financial obligations would not only be a blight on our reputation but would precipitate a global economic crisis that we have never, ever seen. These warnings have come from the banking industry and the business community; they have come from our finest economists and shrewdest investors; they have come from former legislators, past policymakers, both Democrats and Republicans; and they have come from reasonable people here in our Congress.

It is clear to me that we have to increase the debt ceiling. That is what JOHN BOEHNER, the Republican Speaker of the House, said this spring. But it is now summer. He also said this: Not raising the debt limit would have a serious implication for the worldwide economy and jobs here in America.

That is the Speaker of the House of Representatives. His deputy, ERIC CANTOR, agrees. Last week, CANTOR said:

> We want to make sure that we avoid default. We want to make sure that we avoid going past August 2nd without raising the debt ceiling.

And my Republican counterpart here in the Senate, the senior Senator from Kentucky, said he would support the debt limit as long as Congress used the opportunity to do ''something really important'' about the national debt.

Democrats are willing to join with our colleagues on the other side of the aisle to do, as my Republican counterpart said, ''something really important.'' We have already shown our willingness to make tough decisions for the sake of finding common ground even if it means drawing the ire of our own political party. Unfortunately, the loudest, shrillest voices from the Republican Party are not reasonable leaders but tea party extremists.

Congress has days, not weeks, to reassure the markets that when this great Nation issues an IOU, we stand by it, we do not turn into deadbeats when the bills come due. If you want to know how important this issue is, ask Ronald Reagan. Here is what he said about the importance of averting this kind of default:

> The United States has a special responsibility to itself and the world to meet its obligations. It means we have a well-earned reputation for reliability and credibility, two things that set us apart from much of the world.

President Reagan took the threat of default seriously. I will repeat what he said:

> The United States has a special responsibility to itself and the world to meet its obligations. It means we have a well-earned reputation of reliability and credibility, two things that set us apart from much of the world.

President Reagan took the threat of default seriously. So do reasonable Members of Congress today. And this is reasonable Republican Members of Congress. Yet I fear the closer we get to disaster, the further we get from making the arrangement needed to raise the debt and stop a default.

Democrats have shown they are willing to work with Republicans on any serious, reasonable plan that averts default and cuts the deficit in a balanced way. Now it is time for House Republicans to show they are also willing to get serious. A plan to decimate Social Security, Medicare, and every other Federal benefit plan, while protecting hundreds of billions of dollars in special interest tax breaks, is not a serious plan. The Republicans so-called cut, cap, and balance plan does not have one chance in a million of passing the Senate.

The moment for partisan games has long since passed. It is time for patriots on both sides of the aisle to join

hands and actually govern. So I ask, Will reasonable Republicans join us in forging a compromise for the good of our country?

CUT, CAP, AND BALANCE ACT OF 2011—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 106, H.R. 2560.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The bill clerk read as follows:

A motion to proceed to the consideration of Calendar No. 106, H.R. 2560, an act to cut, cap, and balance the Federal budget.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 2 p.m. will be equally divided and controlled by the two leaders or their designees, with Senators permitted to speak therein for a period of up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I rise today to speak to the issue the Senate is going to be considering for the next couple of days and ultimately voting on, it sounds like, possibly sometime on Saturday; that is, the cut, cap, and balance proposal that has been put forward by the House of Representatives.

The House passed this particular proposal the night before last. It is now pending under consideration in the Senate. What I would suggest to my colleagues in the Senate is this: It is the only proposal out there. It is the only plan we have to vote on.

It has now been about 813 days—I think is the correct number of days—since a budget was passed in the Senate. The Democratic majority has not submitted one for consideration here. We have not had votes on a budget. We have been operating without a budget. There is no plan.

The House of Representatives passed a budget earlier this year. It was criticized by many people here—Democrats—as being something they didn't want to support. There wasn't an alternative put forward by the Senate Democrats or by the President. The President did put a budget forward in his annual budget release earlier this year, but the Senate voted it down 97 to 0. There wasn't a single Member, Republican or Democrat, who voted in favor of the President's budget proposal. Why? Because it would have raised spending, raised the debt—almost doubled the debt over the next 10 years, and it would have increased taxes by over $1 trillion.

Overall, I don't think those are the elements you want to be in a budget. You want to reduce spending and put a plan into place that starts getting a trajectory in place that starts reducing the amount of debt we have. You certainly don't want to raise taxes in an economic downturn, when you are dealing with 9.2 percent unemployment. That is the only budget submission we have seen from the President.

As I said, there has not been anything in the context of the debt limit debate put forward by the Democrats in the Senate or by the President. The only proposal we have in front of us is the Cut, cap, and Balance proposal passed by the House of Representatives. You can say the House arguably has done its work. They have put forward a plan that we need to act on.

To suggest for a minute that there isn't an alternative, that the Republicans are being unreasonable in all this, I think completely misses the point, because that is the only plan out there. If you don't like that one, where is your budget? We have had 813 days without a budget. We don't have a plan to deal with the debt limit. What we have to vote on and consider and debate today is the Cut, Cap, and Balance proposal.

That is significant for a number of reasons. One, I believe the way to deal with the crisis we have in this country today—a debt crisis that gets worse by the day—is to get spending under control. I believe fundamentally that the problem we have in this country is not a question of not enough revenue, it is a question of too much spending. The government has gotten too big, has grown too fast. It is spinning out of control, in the minds of most Americans. They want to see us rein it in and get government spending and debt under control.

Yesterday, I read this on the floor, but I want to read it again. Ironically, it is a letter I got from a Boy Scout in South Dakota who is earning his merit badge. He wrote me a letter and said this:

I feel that the Federal Government needs a balanced budget. If we don't, the debt gets larger each year. I feel that there are two solutions for this. In our house, we are careful to only spend what my mom and dad earn. That needs come first and what is left is for wants. Many times we were told no when we ask for something. With my allowance and lawn mowing money, I divide it between donations, saving, and spending. I can't spend more than I make.

I think there are a couple of very powerful observations in this statement. The first is, obviously, it is not lost even on this young American how important it is to live within your means, and that you cannot spend money you don't have. That is clearly a lesson he has already learned. We need to learn that in Washington, DC.

Second is how profoundly this issue impacts the next generation. If, in fact, we fail to act to get spending and debt under control and to put us on a sustainable fiscal course, the next generation is going to pay a powerful price for our irresponsibility.

I submit again to my colleagues this is fundamentally a spending issue. A lot of folks talk about the need for more revenue. The President talks about wanting more revenue. The majority leader just said the House is out of town and how that is terrible because revenue measures have to originate in the House. Many of us believe this can be solved without more revenue, that we don't have to raise taxes on the American people or American small businesses to solve what is inherently and fundamentally a spending problem.

If we want to balance the budget, we have to get spending under control. Five times since 1969 the budget was balanced in this country. In each case, the average amount we spent was just under 18.7 percent of our GDP, so that is kind of the benchmark for the five times in our history since 1969 when the budget has been balanced. The 40-year average of spending to GDP in this country is 20.6 percent. That is the 40-year average. The five times we balanced the budget, it was 18.7 percent of GDP. This year, we are spending 24.3 percent of GDP. If you look at the President's budget—and even what are, in my view, optimistic assumptions about economic growth—you are still looking at that sort of a course for the foreseeable future. With what I think are going to be the exploding costs of the health care bill that was passed last year, it could be much higher than that.

My point is this: If you can balance your budget at 18.7 percent Federal spending as a percentage of GDP, and we are spending at 24.3 percent this year, we are 30 percent higher in terms of what we spend than those times in which we were able to balance the budget. If you are talking about balancing the budget, it means getting spending under control, reining in out-of-control Washington spending.

For a long time, I have believed that we need not only what is proposed in the Cut, Cap, and Balance bill, in terms of an immediate reduction in spending, caps on spending in the future years, but also a balanced budget amendment to the Constitution. That is something I have campaigned on my entire political career. I believe it is necessary.

Washington has not demonstrated in the past the political courage that is necessary to get spending under control. The consequence of that is we now have a Federal debt that is over $14 trillion, and we are actually talking about raising the borrowing authority of this country simply because we get further and further into debt every year. We are running $1 trillion deficits, and at that rate you are obviously going to continue to accumulate enormous amounts of debt. It means getting your budget balanced. We don't do that around here. Most States—49 of them—have some form of a balanced budget amendment that requires them to make sure their spending doesn't exceed the amount of revenue they have coming in. I think that is needed.

When I first got to the Congress as a freshman Congressman in 1997, there was a vote in the Senate on a balanced budget amendment. It failed by one

vote. It needs two-thirds votes in the House and Senate, and then has to be sent to the States for ratification. If 38 States ratify, it would be added to the Constitution. We would have a requirement that the Federal Government balance its budget as so many States have to do every single year. Well, that vote in the Senate in 1997 failed by 1 vote. It got 66 votes in the Senate, which is 1 short of the 67 necessary to send it on to the House. At that time, I was a Member of the House of Representatives, and had the Senate passed it and sent it to the House, I believe we would have gotten a two-thirds majority in the House and been able to send it to the States.

What has happened in the last 15 years? At that time, the accumulated debt was $5 trillion. Today, it is $14 trillion. We have seen a $9 trillion increase in the amount of debt. I can't help but think that had we had a balanced budget amendment in place, we would be much better off today.

The cut, cap, and balance approach strikes at the very heart of the issue, which is that this is fundamentally a spending issue that needs to be addressed in the near term by cutting spending, capping spending in future years, and putting in place the mechanism that requires Congress to have the discipline to balance the budget for future generations. I hope we will get an affirmative vote when the time comes, and that my colleagues will support the measure I think will get this country back on a sustainable fiscal track and create prosperity for this generation and future generations, as well.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, I rise today to discuss the legislation that has come over from the House of Representatives which, I must say, I consider to be some of the most ill-considered legislation I have ever seen come over from the other body. This legislation has been hastily thrown together, has never had a hearing, and yet proposes to amend the Constitution of the United States in dramatic and draconian ways. This is truly dangerous business.

I have been a part of the fiscal commission, and I was part of the majority that supported its conclusions to reduce our debt from what it would otherwise be by $4 trillion. Eleven of us supported that plan—five Democrats, five Republicans, and one Independent. I have been a part of the Group of 6—three Democrats and three Republicans—and we have released our plan to reduce the debt from what it would otherwise be by $3.7 trillion. I have been part of putting out the Democratic Senate Budget Committee plan, and I am proud to say it would reduce the debt from what it would otherwise be by $4 trillion.

In my entire career, 25 years in the Senate, I have consistently spoken of the dangers of deficits and debt and the risk of the debt threat to our country. I believe passionately that we have to find a way to come together to reduce the danger of these runaway debts. But this legislation that has come over from the House cannot be the answer. It is not bipartisan. In fact, it is superpartisan. It is totally done on one side of the ledger. It will not pass, it will not become law, and it should not.

Now, let's understand the context within which we are operating. First of all, as a country, we are borrowing 41 cents of every dollar we spend. Our gross debt is now 100 percent of our gross domestic product. The best economists in the country have warned us that once we get to a debt that is more than 90 percent of our gross domestic product, our future economic prospects are in danger. Future economic growth is reduced. That is why I have been deeply involved in every serious bipartisan attempt to reduce deficits and debt.

This proposal that has come over from the House—not having had a single hearing in this body, not one—is truly radical. Again, I say to my colleagues, we have an urgent need to act, but we shouldn't panic. Unfortunately, I think that is what the House did when they sent us this half-baked concoction of ideas that don't hold together, that don't add up, and that would actually further threaten the economic recovery.

There is no denying we face a debt threat. This is what the Chairman of the Joint Chiefs of Staff said in June of last year:

> Our national debt is our biggest national security threat.

Now we have had the rating agencies warn us that if we don't act, if we don't get our debt and deficits under control, they are going to downgrade the rating of U.S. debt—the rating of how the markets respond to our debt offerings. That would have a very serious impact on what we pay to borrow money. Remember, for every 1 percent increase in the interest rates we pay, it adds $1.3 trillion to the debt.

Here is what one rating agency has said:

> We may lower the long-term rating on the U.S. by one or more notches into the AA category in the next 3 months, if we conclude that Congress and the administration have not achieved a credible solution to the rising U.S. Government debt burden and are not likely to achieve one in the foreseeable future.

That is why I joined the Gang of 6 some 6 months ago, to produce a bipartisan plan to deal with the debt threat. And we have released that plan now—three Democrats, three Republicans. Many more of our colleagues on both sides have joined and said they are with us. So we have a way forward, but it is certainly not the legislation that has come over from the House of Representatives that we are considering today.

The House legislation would restrict the ability to respond to economic downturns and actually compound declines. It uses Social Security funds to calculate balance and subjects that program to the same cuts as other Federal spending, even though we all understand that is totally separate from the rest of the budget. It shifts ultimate decisions on budgeting to unelected and unaccountable judges. What a mistake that would be. It requires a State ratification process that could take years to complete.

We don't have years to deal with this problem. I am afraid the House legislation is mostly political theater that has been sent to us rather than a serious response to the problem. But perhaps most alarming, the proposal before us could turn a recession into a depression. We need to think very carefully how we respond to this debt threat, and then we need to react in a serious and credible way, and we have to stand together with our colleagues.

That is why I was proud to be a part of the fiscal commission, because we produced a plan that would get our debt under control and start reducing it. There were 11 of us—five Democrats, five Republicans, and one Independent—and a majority of that commission agreed to that plan. It is why I have been proud to be part of the Gang of 6 in the Senate—three Democrats, three Republicans. We have produced a plan to control our debt and to begin to work it down. None of those plans, and none of the other bipartisan plans, would risk turning a recession into a depression. But that is exactly what the legislation from the House would do.

Now, why do I say that? Well, here is one of the most respected scholars in this town. He is from the American Enterprise Institute. He called the balanced budget amendment that has come from the House a really dumb idea. This is what he said:

> Few ideas are more seductive on the surface and more destructive in reality than a balanced budget amendment. Here is why: Nearly all our states have balanced budget requirements. That means when the economy slows, states are forced to raise taxes or slash spending at just the wrong time, providing a fiscal drag when what is needed is countercyclical policy to stimulate the economy. In fact, the fiscal drag from the states in 2009–2010 was barely countered by the Federal stimulus plan. That meant the Federal stimulus provided was nowhere near what was needed but far better than doing nothing.

Now imagine that scenario with a Federal drag instead. Mr. Ornstein doesn't just imagine that, the Washington Post, in an editorial from last Friday, said:

Rewriting the Constitution is the wrong way to deal with the debt.

Let me just reference, from their second column, these words:

Worse yet, the latest version would impose an absolute cap on spending as a share of the economy. It would prevent Federal expenditures from exceeding 18 percent of the gross domestic product in any year. Most unfortunately, the amendment lacks a clause letting the government exceed that limit to strengthen a struggling economy. No matter how shaky the state of the union, policymakers would be prevented from adopting emergency spending, such as the extension of unemployment insurance and other countercyclical expenses that have helped cushion the blow of the current economic downturn.

Two of the most distinguished economists in our country, Alan Blinder, the former Deputy Chairman of the Federal Reserve, and Mark Zandi, who was an adviser to JOHN MCCAIN's Presidential campaign, studied the government response to the latest financial crisis. Here is what they concluded:

We find that its effects on real GDP, jobs, and inflation are huge, and probably averted what could have been called Great Depression 2.0.

This amendment before us would have stopped the governmental response, which two of the Nation's most distinguished economists tell us averted Great Depression 2.0. Quoting further from the article:

When all is said and done, the financial and fiscal policies will have cost taxpayers a substantial sum, but not nearly as much as most had feared and not nearly as much as if policymakers had not acted at all. If the comprehensive policy responses saved the economy from another depression, as we estimate, they were well worth their cost.

This amendment that is before us now would have prevented this response and would have prevented averting a Great Depression.

Here is the work of Zandi and Blinder with respect to what would have happened to jobs absent the Federal response. Jobs with the Federal response, the green line; jobs without the Federal response, the red line: 8 million fewer jobs without the Federal response to prevent a depression. Unemployment, what would have happened without the Federal response, according to this detailed study by Zandi and Blinder: Without the Federal response, unemployment today would be about 16 percent instead of the 9 percent we are experiencing. We would be in a depression. That is the hard reality. The amendment before us would have prevented that kind of governmental response.

They call this plan cut, cap, and balance. They should have called it cut, cap, and kill Medicare, because that is what this plan would do; it would cut, cap, and kill Medicare.

Why do I say that? Well, if we look at the House budget proposal that underlies this plan, we see what happens under traditional Medicare. Under traditional Medicare, the beneficiaries would pay 25 percent of their expenses. Under the Republican budget plan that underlies the amendment that has come before us, Medicare beneficiaries would pay 68 percent of the expenses of their health care. In other words, somebody who is Medicare eligible, qualifies for the program, pays their required costs, pays their required copays, pays their required premiums, pays 25 percent of the cost under the plan. With the Republican plan from the House, that would increase to 68 percent. That stands Medicare on its head. Instead of Medicare, as normal insurance does, paying the lion's share, individuals would pay the lion's share of their health care expenses.

The underlying House Republican plan that underlies this amendment would increase the out-of-pocket costs to a Medicare beneficiary from $6,000 to $12,500. That would be health spending for a typical 65-year-old Medicare beneficiary in 2022. Instead of paying $6,000 under current law, they would pay $12,500.

Somebody who has been following the details will look at these numbers and say, Well, Senator CONRAD, what you have outlined there is the House Republican plan. And what has been sent you in an amendment actually is even more draconian than the House Republican plan. It goes even further. It cuts Medicare even more. And, yes, that is true. I have understated very substantially the devastation that would be done to Medicare under the amendments before us. But how can that be? Well, here is how it can be.

The red line shows the spending under the House GOP budget. But in this amendment, in this legislation that has come to us, not only did they adopt the House Republican budget, they then trump it. They then override it with a constitutional amendment that goes even further.

Here is the spending under the House Republican plan. It goes from 24 percent of GDP down to 19.9. Then it is leapfrogged by the provisions of the constitutional amendment that would take spending down to 18 percent of GDP. From 24.1 to 18, that is a 25-percent cut if you took the cut across the board.

But their plan doesn't take the cut across the board. It shields certain things. So the cuts to those things that aren't shielded have to be more draconian and even deeper.

Visually I thought I should produce a chart that shows what would happen if you had to reach the limit that is in the constitutional amendment that is before this body today.

With an 18-percent cap on all gross domestic product spending, here is Social Security. That is 5 percent of gross domestic product. Defense and other nonhealth spending, as you can see, takes you well over 15 percent. Then you have interest, and you are at their cap. There is no money for Medicare. There is no money for Medicaid. There is no money for any of the other health care accounts. If they hold harmless Social Security, defense and other nonhealth spending, and of course we have got to pay interest on the debt, there is nothing left over. That is why I call this cut, cap, and kill Medicare. I should have added cut, cap, and kill Medicaid. Cut, cap, and kill every other health care account.

This plan caps spending going forward at draconian and unrealistic levels. It fails to account for the retirement of the baby boom generation and rising health care costs. Perhaps more remarkable, it provides no war funding for 2013 to 2021. Nothing.

Let me repeat that. This plan that has come over from the House is so ill-considered, so hastily thrown together, so lacking in credibility that they provide for no war funding after 2013. Does that mean they are advocating bringing all the troops home from every location everywhere around the world? Well, I am certain not, because that is not the position they have taken. But they don't provide any money for it.

I don't know who slapped this thing together, but they weren't very careful in what they did. None of it adds up. It is totally make-believe.

This is not make-believe. This is what is going to happen to the number of people who are eligible for Medicare and Social Security running up to 2050: The number of people eligible is almost going to double. That is a demographic tidal wave that is a reality. It is not a projection. These people have been born. They are alive today. They are going to retire. They are going to be eligible. This amendment before us makes no provision for them.

So what is going to happen? They are going to shred Medicare, they are going to shred Medicaid, and they are going to put at risk Social Security. That is as clear as it can be.

Here is the reality we confront today as a nation. Spending as a share of GDP is the highest it has been in 60 years, but revenue as a share of GDP is the lowest it has been in 60 years. Both of these are facts, both of these are true. Our friends on the other side are saying you cannot touch the revenue side of the equation, even if it is closing tax havens, going after abusive tax shelters, going after tax scams that proliferate the Tax Code today. They say, Oh, no, you can't touch that; you can't make any changes on the revenue side of the equation, even though the revenue is the lowest it has been in 60 years as a share of our national income. They say it would take a two-thirds vote, and they would put it in the Constitution of the United States that they would require a two-thirds vote to close any tax haven, any tax shelter, any abusive tax scam would take a two-thirds vote.

That is not what I learned when I was growing up about the Constitution of the United States. It didn't say anything about protecting those who engage in tax scams and tax havens and abusive tax shelters. But that is what this plan would do.

The Washington Post back in May did an analysis: How did we get into

this ditch we are in of runaway debt and runaway deficits? How did we get into this position? Their conclusion after this study was that:

The biggest culprit by far has been an erosion of tax revenue triggered largely by two recessions and multiple rounds of tax cuts. Together, the economy and tax bills enacted under former President George W. Bush, and to a lesser extent by President Obama, wiped out $6.3 trillion in anticipated revenue. That is nearly half of the $12.7 trillion swing from projected surpluses to real debt. Federal tax collections now stand at their lowest level as a percentage of the economy in 60 years.

This amendment before us would require a two-thirds vote to do anything about it? Let's get serious.

As I say, I have been part of every serious bipartisan effort here over the last 2 years to come up with a plan, to get our debt under control. So, yes, cut spending; yes, reform entitlements; yes, get the revenue base recovered so we can reduce our debt. But this plan before us is a disaster.

Let's look at reality. The last five times the budget has been in surplus in the last 40 years, revenue has been close to 20 percent of GDP. This plan would require a two-thirds vote to increase any revenue. Revenue is at 14.8 percent of GDP. Wow. You talk about consigning this country to an endless round of economic uncertainty and an undermining of the economic position of the United States, vote for this thing.

Martin Feldstein, who is one of the most conservative economists in the country, has said we have got to take on these tax expenditures. Tax expenditures now amount to $1.1 trillion a year. We are spending more through the Tax Code than we are in all appropriated spending every year, and yet this amendment would require a two-thirds vote to change any of those tax expenditures, to close any of the tax loopholes, to go after any of the tax havens and abusive tax shelters.

Here is Martin Feldstein, Professor of Economics at Harvard, Chairman of the Council of Economic Advisers under President Reagan. This is what he said:

Cutting tax expenditures is really the best way to reduce government spending. Eliminating tax expenditures does not increase marginal tax rates or reduce the reward for saving, investment or risk-taking. It would also increase overall economic efficiency by removing incentives that distort private spending decisions. And eliminating or consolidating the large number of overlapping tax-based subsidies would also greatly simplify tax filing. In short, cutting tax expenditures is not at all like other ways of raising revenue.

Interestingly enough, every bipartisan commission has come back and said, as one part of dealing with our deficits and debt, we ought to reduce tax expenditures. It is spending by another name. But do you know what. The legislation before us would require a two-thirds vote to change any of these tax expenditures because it raises revenue. It raises revenue, so they are against that.

Here is where the tax expenditures go. The top 1 percent get 26 percent of the value of tax expenditures. These loopholes that have proliferated have gone to the very top. We are going to have to reform this Tax Code, take out the junk, and at the same time we are going to have to go after these offshore tax havens and tax shelters that some of the very best off among us, the most fortunate, are using to dodge what they legitimately owe in this country.

They call this legislation cut, cap, and balance. They should have called it preserve, protect, and defend tax havens and tax shelters because that is, in effect, what it would do. They say if we go after these tax havens and these tax shelters that is a tax increase. That increases revenue; therefore, it should take a two-thirds vote to do anything about it.

Let me say to my colleagues, this is a little five-story building down in the Cayman Islands. It claims to be home to 18,857 companies. They all say they are doing business out of this little building. This is the most efficient building in the world. It is unbelievable: 18,857 companies say they are doing business out of this little building. That is a remarkable accomplishment, to be running 18,000 businesses out of this little building. How can that possibly be?

Of course it is not. The only thing they are running down there is a giant tax scam on all the rest of us who pay what we owe. By the way, it has no taxes that apply to these businesses. We are not down in the Cayman Islands. We are right here. We are filing our taxes, and we are paying them. These companies are dodging theirs. If anybody doubts that this has become a huge hemorrhage for the U.S. Treasury, here is what our own Permanent Subcommittee on Investigations has found:

Experts have estimated that the total loss to the Treasury from offshore tax evasion alone approaches $100 billion per year, including $40 billion to $70 billion from individuals and another $30 billion from corporations engaging in offshore tax evasion. Abusive tax shelters add tens of billions of dollars more.

Before we raise taxes one thin dime on any of the rest of us who are paying our taxes, let's go after these folks who are dodging their responsibilities and their obligations. This amendment before us would require a two-thirds vote to do it.

That is not the end of it. Here is what happened to the tax rates of the most wealthy 400 families in the United States, their effective tax rates since 1995. In 1995 their effective tax rate was 29.9 percent. By 2007 it was down to 16.6 percent. The wealthiest among us have had their tax rates about cut in half. I don't know about you, but I didn't have my taxes cut in half. The vast majority of Americans did not have their taxes cut in half. But with the help of well-placed lobbyists here, those who are the most fortunate have had their effective tax rates cut in half.

This amendment before us would say it would take a two-thirds vote to change that. That is why I say this amendment should be called preserve, protect, and defend tax havens and abusive tax shelters.

The last time the top rate was 39.6 percent we experienced the longest period of uninterrupted economic growth in U.S. history. Those who say if we raise any revenue we kill jobs—really? That is not what history shows. The last time we had a comprehensive plan to cut spending and raise revenue to reduce the debt—during the Clinton administration—we kicked off the longest period of uninterrupted economic growth in U.S. history: 39 straight quarters of economic growth, 32 of those quarters during the Clinton administration, and 24 million jobs were created.

Dealing with the deficit and the debt in a balanced and comprehensive way does not kill jobs. It creates the climate for the creation of jobs because it improves the competitive position of the United States.

I have been part of three plans to reduce this debt from what it would otherwise be by $4 trillion. The fiscal commission plan—I served, 11 of us, 5 Democrats, 5 Republicans and 1 Independent endorsed that outcome. I was part of the Group of 6, 3 Democrats and 3 Republicans.

We produced a plan to reduce the deficit and debt from what it would otherwise be by $3.7 trillion. I was part of the Democrats on the Senate Budget Committee that unveiled a plan to reduce deficits and debt from what they otherwise would be by $4 trillion. So I have been happy to be part of bipartisan efforts, efforts just on our side of the aisle, and interestingly enough every single commission has come up with a package of about $4 trillion in deficit savings.

I think the Group of 6 did yeoman's work, bringing the deficit down from 9.3 percent of GDP, down to 1.9. Yes, we have revenue; yes, we have spending cuts; yes, we reform entitlement programs—because all of that is necessary. This legislation before us says: Whoa, wait a minute. We don't want to do it all. We want to focus on just part of it. This problem is too big to try to solve it with just part of the Federal fiscal picture. It is going to take all parts to solve this problem.

The Group of 6, I am proud to say, came up with a plan that stabilizes this debt and begins to bring it down, avoiding this skyrocketing debt we are otherwise going to experience. This legislation before us would stop it in its tracks. I think that would be a profound mistake.

I hope my colleagues reject this ill-considered plan.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of the plan that

is before us, the Cut, Cap, and Balance Act. I also think there are some very important achievements in the Group of 6 proposal. It is a proposal. It is not legislative language. It has many things in it that are very good. It has tax cuts, it has entitlement reform, it has spending cuts. It is a complicated outline and one that needs to be fleshed out to know exactly what is in it, and it has some areas with which I disagree. I certainly want to assure that we keep the 15-percent capital gains and dividends rate. But we also have another proposal that I think has great merit.

I think the bill that has come over from the House, the Cut, Cap, and Balance Act, puts even more together on the issues that we are all trying to address. What we need are spending cuts that are real, not proposed down the road or promised. That is what the Cut, Cap, and Balance Act will do.

We all know we have a $14.3 trillion debt ceiling that is getting ready to be hit sometime in the month of August. What we need to do—in this Senate, in the Congress, and, certainly, hopefully, the President—is give confidence to the markets. That means we do two things: We raise the debt ceiling. We don't default or even scare people that we are going to default, with reforms that will assure that we will not ever have to do it again. That is what we must do to send a message to the markets that we are going to get our fiscal house in order, and we are going to assure that our debts are paid, that the people who work on Federal contracts and our military and Social Security recipients will get their paychecks. We have to assure the market. To raise the debt ceiling we have to show we are going to cut back on spending. That is the key.

We have to tackle the core problem. We have to stop spending too much, borrowing too much, and taxing too much. We do not have a taxing problem in this country, we have a spending problem. We are not being taxed too little, we are spending too much.

With $2.2 trillion in tax revenue collected, the Federal Government has the ability to live within its means. We must prioritize and we must make sure we get a private sector economy that will hire people.

I can tell you, small businesses are not hiring because they are terrified of the health care bill that was passed last year. They are terrified of the costs involved. Second, they are looking at people in Washington talking about more taxes, and they are saying: I am freezing right now. I am not going to take a chance that I am going to hire a new employee who is going to cost more than the productivity we can add to our business and keep going.

The cut, cap, and balance bill would make significant spending cuts now. It also requires the passage of a balanced budget amendment to the Constitution. It takes a two-thirds vote of both Houses to do that, but we need to do it. We need to put the Federal Government on the same kind of fiscal constraint that almost every State in our Nation has; that is, a constitutional requirement that we have a balanced budget, that we do not borrow for operational expenses.

We can borrow for long-term projects, bonds—absolutely. But we are not going to borrow for our immediate needs. That is what kills the governments that overspend, of which the U.S. Federal Government is one. We need to have the balanced budget amendment that is in this bill passed, knowing that it is not going to be an immediate fix because the States would have to ratify it.

More than half the States will have to ratify a constitutional amendment. In that constitutional amendment we have an 18 percent of gross domestic product cap on Federal spending because that will put our fiscal house in order. We know that is long term. Certainly, we want to get started on that long-term constitutional amendment fix because once we do it and once the States ratify it—and I believe they will—then we will have the ability to assure future generations that we will never be in the fix we are in now.

Today the Federal Government is spending 24 percent of GDP. The 40-year average is 20.6 percent. We have about a 3-percent increase in the Federal spending level that is juxtaposed against a gross domestic product. If we put a spending cap of 18 percent in a constitutional amendment, we will have time to start drawing that down so it will not be an immediate hit. In fact, the bill that is before us has a gradual decrease in the caps on spending. We have the constitutional amendment part, that is the balance part.

We also have a cap in the bill that is before us. It is not an immediate cut, 18 percent, but it does ratchet down: 21.7 percent in the year 2013, 20.8 percent in 2014, and so forth until we get to 2021 which would have a 19.9-percent spending cap as a percentage of gross domestic product. It is a gradual cut between 2013 and 2021, in the cap on Federal spending. I think that is a responsible approach, and that is why I am fully supporting this bill. That is the cap part. We have the cut part that is real cuts. We have the cap part that puts the lid on spending going forward, and then we have the balanced budget part, which goes to the States and goes through our constitutional process to put us in the same situation most States are in; that is, with constitutional provisions that they have balanced budgets.

One of the most valuable economic lessons we have in this country—because we have learned from history—is we cannot spend our way out of debt. That is the worst remedy. If you are a family in debt, you do not keep spending and you do not put a freeze on spending either, which is what was suggested in President Obama's budget. He said: We will just freeze at 2011 levels. But 2011 levels are inflated. Because of the huge stimulus bill that was passed we have an inflated level and we say let's freeze there. No; we need to freeze at a lower level. We need to start ratcheting down the spending in this country in order to assure that we start going toward a balanced budget. The Cut, Cap, and Balance Act is a reasonable way to cut spending now so we will not have that debt ceiling lifted again because we will bring down the deficit and not hit that debt limit again. So we bring down the deficits with immediate spending cuts, then we go forward with a cap that starts at 21.7 percent in 2013. Knowing we are at 24 percent now, we have to have those immediate cuts to start getting down to the reasonable level.

There is one more thing we need to do that is not in this bill but is something that if we are going to have the long-term debt reduction, we have to look at the entitlements and expenditures because our discretionary expenditures are roughly 30 percent of the total expenditures of our country. So we know we are out of kilter right now in Social Security because the actuarial tables have not been kept up-to-date. When Social Security was passed, the average man lived to be about 60 years old. Today, the average man lives to be about 77. We are going up—and thank goodness—with the life expectancy and quality-of-life. So if we are going to get our fiscal house in order, we do need to address that. We need to have a very gradual increase in the retirement age.

I have proposed a Social Security reform bill that does adjust the COLA, and it also has a gradual increase in the age of retirement. It stops at 69. The other thing the Gang of 6, or the Group of 6, did that I thought was very positive is, it put everything that depends on a cost-of-living adjustment in the Federal budget on a different calculation that is determined by economists to be a more realistic spending gauge, and it is the CPI, the Consumer Price Index. The CPI is adjusted in the Group of 6 proposal that will bring down the costs and will be a more realistic COLA, cost-of-living adjustment. So it is very important we look at that as one of the good parts of the Gang of 6, or Group of 6, proposal because it puts it more in line with reality, and it also will save money on the other end on the long-term strategy that we must have to adjust our fiscal requirements to meet the needs and the revenues that are coming in. The tax cuts that are also in the Group of 6 proposal will help spur the economy, and along with the spending cuts, will bring our debt interest requirements down. The cost-of-living adjustments are very minor but will have an impact over the long term. These are some of the good things that are out there.

Let me say in conclusion, we have had several of our leaders make proposals. We had Senator REID and Senator MCCONNELL put out a proposal. Of course, there were critics on all sides of

that proposal. Then we had the Group of 6 that came out with a proposal and there were people who criticized that immediately. I think we need to take the nuggets of these proposals—which there are some very good parts of the Reid-McConnell bill and there are some very good parts of the Group of 6 proposal—and let's not criticize people for putting forth ideas because that is how we start coming to a conclusion about what is the best proposal. To criticize the people who have come forward with very bold plans is a huge mistake, and I think it is unfair to those who have put something out to say: Oh, that is a terrible plan and we would never vote for it. Are you kidding? I mean, we need to come together with all the plans.

I am supporting this one, the Cut, Cap, and Balance Act, which I think came mostly from the House and some of our Senators. It is very solid. I certainly think Senator REID and Senator MCCONNELL didn't want us to come to August 1 and have no endgame. So they were preparing something that has some merit. They have a 302(a) allocation in theirs that is basically a cap on spending. We need to have that, and that part of their proposal is very sound. Then the Group of 6 has tax cuts as well as spending cuts and some adjustments in the mandatory spending side, the entitlements. We have to have those ideas all on the table.

Instead of being negative about everything, let's take some of the good parts we like and see if we can come to a consensus on those. That is what we have to do if we are going to have an end result that will assure our obligations are paid sometime in August when the true debt ceiling is hit. I think it is later in August. That is what is in conflict right now. I think it is later in August, and if we are going to meet those requirements that we have as elected Members of Congress, we are going to have to find some way to get there with the reforms that are necessary to give confidence to not only the people who hold our debt but to the markets that would assure that our economy is not going to collapse under the heavy burden of this debt. The reforms are a necessary element to lift the debt ceiling or we will not be sending the right message to our debtors nor to the people who might start hiring and getting this 9.2 percent unemployment down.

I hope we can have a very strong, positive vote on the Cut, Cap, and Balance Act. We need to address these issues. Let's put it all together and let's start talking about what we have to do when that debt ceiling is reached, and this is a good start.

I yield the floor.

Mr. ALEXANDER. I ask consent to speak for up to 15 minutes.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I congratulate the Senator from Texas for her remarks, for her leadership, for her willingness to be involved in and support a variety of ways for us to meet the two goals we have before us, one of which is to make a significant step to reduce our Federal debt, to stop Washington from spending money it doesn't have; second, to do so in a way that honors the financial obligations of the United States of America, the most creditworthy country in the world.

The Cut, Cap, and Balance Act, which has passed the House and has 37 cosponsors in the Senate—I am proud to be one of them—I think is a superior piece of legislation. I hope when we vote on it, it gets a majority of votes in the Senate and becomes law. Before I speak about the Cut, Cap, and Balance Act, I would like to speak for a moment about those two goals that are before us as we consider our debt, consider our financial obligations, and consider all of them up against what is said to be a point on August 2 where the debt ceiling needs to be increased.

As I think about those two goals, reducing our debt, honoring our obligations, I think about a friend of mine in Tennessee who pays his bills out of a cigar box. This is how it works: A bill comes in to my friend and he puts the bill in a cigar box. Then another bill comes in and he puts that bill in a cigar box. Then the next week maybe some money will come in. So my friend will reach down to his cigar box and he will pull a bill out and he will pay that bill. Then, when a little more money comes in the next week, he will reach down and pull out another bill and pay that bill. My friend pays his bills out of a cigar box. Now what happens to my friend if he wants to go down to the local bank and says: I would like to borrow some money in order to pay all the bills I have in my cigar box.

I think what the banker is going to say is: I am sorry, my friend, but we are reluctant to loan money to you or, if we do, we are going to charge you more for it because we don't know whom you are going to pay. You might reach into your cigar box and pay the whiskey store instead of the bank. You might pay the grocery store instead of the principal on your loan. You might pay the service station before you pay us. So because you selectively pay your bills out of your cigar box, you are not a good risk. We are going to charge you more to borrow money or we are not going to loan you money at all. That is the risk we take if we play around with this idea of the United States of America—the most creditworthy country in the world—selectively paying its bills, going from being the most creditworthy country to being a country that pays its bills out of a cigar box.

There are three obvious reasons why we should not do that. Reason No. 1 is, it is going to cost us more. Today, the United States of America can borrow money for 10 years at about 3 percent. We are so creditworthy—people trust us so much to pay our obligations—that they will give us money for a short period of time at no interest. It is a tremendous advantage to us. The United States has the most risk-free credit in the world, and I might add the most risk-free credit in an increasingly turbulent world.

What if we decided after August 2, when we are told sometime in that month we will begin to not have enough money to pay all our bills, what if we decided not to raise our debt ceiling and that we would pay our bills out of a cigar box? We might say: OK. We don't have enough money, so we will pay China before we pay grandma her Social Security. Oh, better not do that. In fact, I saw a fellow in Portland, TN, on Monday and he said: What is this about my Social Security not being paid? I said: I think it will be paid. It might be two or three days, but the telephone calls would come in and Congress will fix it and it will get paid. He said: It better not be 5 minutes.

So we might want to pay all of our Social Security benefits, but the President might say or the Secretary of Treasury might say: Well, we will pay grandma her Social Security, but we won't pay the wife of the soldier at Fort Campbell who is in Afghanistan on his third tour. That is not such a good idea. So maybe we won't pay the veteran's benefit. We will pay the wife. That doesn't sound so good, either.

What about those 12 million, 15 million students who are headed off to college in the next few weeks with a student grant or a student loan from the government? Should we pay just those going to public colleges and let the private colleges take care of their own—just the for-profits, not the nonprofits?

We see what could happen if we have a country that—especially a country such as the United States—instead of paying all of its obligations on time, whether it is to China or Japan or to grandma or to the veteran, begins to selectively pay those bills when we have the money. I think I know what would happen. Instead of being able to borrow money for 10 years at 3 percent, we might have to pay a little more for it. Let's say it just went from 3 percent to 4 percent. What would that mean to us? It would mean, according to the Congressional Budget Office, the taxpayers would have to pay $1.3 trillion more in interest over 10 years. So if it goes up 2 percentage points to 5 percent, it is twice that. That is what happens when we pay our bills out of the cigar box.

It is not just the taxpayers. My son said to me the other day: Dad, my mortgage loan resets in October. If you all don't work this out, it means my interest rate might go up.

Let's say he has a $100,000 house loan, and it goes up 1 percent. That gets to be some money for him. So if it is a credit card loan, if it is a home loan—whatever loan it is, it would begin to go up. Paying our bills out of a cigar box would raise our costs.

There is a second obvious reason not to do this. In 2008, we were smacked in

the face with a world economic crisis. We didn't expect it. Most of us didn't cause it, but we had to deal with it. Here in the Congress, we had to do some very unpopular things: We had to bail out banks, even some industries. The American people hated that, even though most of the money has been paid back. We don't know what we averted—probably a much worse problem—but we are still suffering from what happened in 2008. But we didn't do that deliberately.

In this case, if we were to deliberately go from being the most creditworthy country in the world to a country that paid its bills out of a cigar box, we would be deliberately injecting uncertainty into a turbulent world.

Look at Europe, with the eurozone trembling over the debt in Portugal and the debt in Greece, with sovereign nations perhaps having to bail out European banks.

Look at Japan, the third largest economy, in a 10-year recession, with a third of its powerplants closed after the tsunami, sweating through the summer, with an inability to sell their goods.

Look at China. China is a big success story, but it may be growing too fast. Its inflation is up, and it has a lot of unreported debt at the provincial level.

Look at our markets. We make trades in milliseconds, and twice in the last year we had sudden drops in the market which we couldn't explain for months. Do we really want to inject this level of uncertainty into the turbulence we have today and into the financial markets when we know we could avoid it? I think not.

Then there is a third reason, and this is a purely partisan reason. Maybe it is not even appropriate to talk about it on the Senate floor, but let's talk about it for a moment anyway.

The President has done a pretty good job of blaming his predecessors for problems, but lately people have said: Mr. President, we don't blame you for the problems you inherited, but we do hold you responsible for the decisions you have made to make it worse. You have made it worse with the health care mandates and higher individual health care policies. You have made it worse with the financial regulations bill. You have made it worse by not sending over the trade bills. You have made it worse with the high cost of energy. You have made it worse with your National Labor Relations Board appointments and undermining right-to-work laws. You have made it worse by doubling and tripling the debt.

People are listening to that. They agree with that. But what would happen if the Republican Party or the Democratic Party or any group of people have the primary responsibility for turning this country from a country that is the most creditworthy country in the world into one that pays its bills out of a cigar box? The President will say—instead of us saying, Mr. President, you made it worse, he will say, you made it worse.

There is every reason in the world to regard the debt ceiling decision we have to make as an opportunity to take a significant step to reduce the debt. We can do that while still honoring our financial obligations, and we should. And today we are talking about one of those ways to do it.

Republicans have offered—with Democratic cosponsorship in a number of cases—at least five major ideas for taking a significant step toward stopping Washington from spending money it doesn't have. There are five ways to do that:

There has been the Corker proposal, which is bipartisan and over 10 years would bring our spending, which is the real problem, from its present level—about 25 percent of our total output in the country—to about 20 percent, which is the historical level.

There is the balanced budget amendment, which is the most obvious solution for a nation that is spending more than it takes in. Families do it, States do it—balance their budgets, live within their means—and the Federal Government can do it. Over time, we can get back to the point where we were not many years ago, where we spend about the same amount of money we take in. As Governor, I know that for 8 years we did that. As a result, we have almost no debt in the State of Tennessee, and as a result of that, we can use our gas tax money, for example, to pay for roads instead of interest on the debt.

Then there is a third idea that has bipartisan support; that is, the Gang of 6, which came out this week. The President said it was a gang of seven. He thought I was in it. I would have to say with respect, Mr. President, I am a law-abiding citizen. I am not a member of any gangs. But I support what they do because I think it is a serious, bipartisan effort to help stop Washington from spending money it doesn't have.

Then there is another proposal which has bipartisan support that Republicans as well as Democrats have initiated. Senator ISAKSON from Georgia has taken the lead on it. It is the 2-year budget proposal which would allow us time every other year to focus our efforts on eliminating rules and eliminating regulations instead of adding so many.

So there are four ideas we have suggested—in some cases with bipartisan support—where we can take a significant step to reduce our debt while still honoring our financial obligations.

Today, we are talking especially about cut, cap, and balance. The legislation that passed the House of Representatives with 234 votes this week has come to the Senate floor. We are going to be voting on it in the next day or two. It has 37 cosponsors, and I am one of them. I especially commend Senator LEE for his work on putting this bill together and doing it in a way that would attract the largest amount of support.

This is a very reasonable proposal. The cut part is to say that for the first year, we would spend a little less than we did last year. Now, that is a reasonable proposal. The State of Tennessee, where I was once Governor—the current Governor is presiding over a State that is spending $1½ billion less than it spent last year. Now, they don't like to do that. There are some unfortunate consequences from it. But they still balanced their budget, they are still getting along, and they are hoping for the day when the economy recovers and they will have more revenues coming in without raising taxes.

So step one is to cut what we are spending today in next year's budget. Then we cap, according to the economic output of the country over the next 10 years, the amount we spend over those 10 years. Then the third step is to balance the budget—the most obvious solution of all—over time, to say we are not going to spend more money than we have coming in. This is our proposal to begin to control spending in a government that borrows 40 cents out of every dollar it spends, a government the economists tell us is costing our Nation 1 million jobs because of the high level of debt. This is an urgent problem. It urgently needs a solution.

In conclusion, almost all of us here in the Senate are good at making speeches. That is one way we get here. But we have not become as good at the rest of our job, which is to get a result. The American people expect us to do that. They have to do that in their everyday lives. So they respect our principles, they respect our speeches, but they know our principles sometimes conflict, and in the end, we have to have a result. We have to have a result here. We have to find a way, first, to significantly reduce the debt and, second, to do it in a way that honors the financial obligations of the United States.

I have suggested five ways we can do that, including cut, cap, and balance. In order to do that, it means each of us is probably going to have to accept as a part of the solution an idea that is not our first choice. But why should we be exempt from that requirement? That is what we have to do in a marriage. That is what we have to do in a family. That is what we have to do in a business. That is what we had to do in creating the Constitution years ago. This Senate wouldn't exist if it weren't because of a grand compromise. Otherwise, how could we justify two Senators from Wyoming and the same number of Senators from California, which is so much larger?

To get a result, after we make our speeches, we need to be willing to accept some ideas that are not our first choice. That is why I am a cosponsor of several different kinds of ideas—cut, cap, and balance, the Corker proposal, the Gang of 6 proposal. That is why I support the Isakson-Shaheen effort on the 2-year budget. That is the kind of attitude we need in the next couple of weeks.

Cut, cap, and balance is a good way to meet our two urgent goals: take a

significant step to reduce our debt and do it in a way that honors our financial obligations.

We are perfectly capable as a country of fiscally disciplining ourselves. We are capable of reducing our debt and of stopping spending money we don't have and, at the same time, avoiding turning the most creditworthy Nation in the world into a country that pays its bills out of a cigar box.

Thank you, Mr. President. I yield the floor.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, as we spend the day debating the Republican plan to cut, cap, and kill Medicare, a plan that is dead on arrival in the Senate, it has become obvious what the true question of the day is. That question is, Will we as a nation allow ourselves to be driven into default and financial calamity by a small group of extreme rightwing ideologues in the House GOP?

It has become increasingly clear that this group of ideologues has grabbed the reins and is refusing to let go, no matter who tries to pry their fingers off. It is clear that this uncompromising group of narrow ideological Congressmen is the one thing standing in the way of raising the debt ceiling so our Nation does not default. It is the group that alone wants to drive the car off the cliff. We are now 11 days from defaulting on our debt, and for the last few months this small group, far outside the mainstream, has contributed nothing to efforts to reach a compromise.

The House GOP has rejected every form of compromise, from the Simpson-Bowles plan, to the President's $4 trillion grand bargain, to the McConnell fallback plan, to, as of yesterday, the Gang of 6 framework. Instead, they have offered dangerous schemes such as the cut, cap, and kill Medicare plan that passed the House yesterday. Their ''plan'' would wreak havoc on our country's seniors and the middle class. It is not a serious proposal, it will never pass this body, and it is a waste of time.

While reasonable people are trying to come to a compromise, the House GOP is becoming increasingly isolated. Yesterday, for example, my colleague JOHN MCCAIN warned the House GOP that Americans do not want the government to shut down and urged them to learn the lessons of 1995. Then, close to a third of Senate Republicans signed on to a plan that would combine major spending cuts with new revenues—a balanced approach the House GOP has sworn off. And every day more voters are abandoning them. As the L.A. Times reported this morning:

> Republican resistance to compromise has turned a significant bloc of voters against them . . . frustrated members of their own leadership as well as establishment GOP figures.

So the House GOP is being criticized from every corner.

Then today we have what must be the most significant departure to date from the House GOP's fantasy-land. In a major development, antitax crusader Grover Norquist told the Washington Post that letting the Bush tax cuts lapse would not constitute a tax hike. This is a development the significance of which should not be underestimated. It is a recognition from Norquist that the House Republicans are increasingly isolated and have painted themselves into a corner. Norquist is trying to signal to the House GOP that their no-compromise position is untenable, deteriorating, and bad for their party and the country. The House GOP is on an iceberg that is melting into the ocean, and even Grover Norquist is offering them a lifeboat. The question is, for their own good and for the country's good, will they take it? I urge my colleagues in the House to accept this lifeline. It is time to leave default-denier island and come back to reality.

The House Republican extremists—those who are way over to the far right—painted themselves into a corner, even to the right of Grover Norquist. Grover Norquist, the hall monitor when it comes to enforcing the Republican Party's antitax pledge, has given House Republicans a hall pass. They should use it. This is a coded message from one of the truest believers in the Republican Party that it is time for conservatives to step back from the brink.

Norquist has given us a potential path forward. If we decouple the Bush tax cuts now by only extending them for the middle class and not for millionaires and billionaires, we could have the foundation of a deal that includes revenues but does not violate the Norquist antitax pledge.

This decoupling strategy is what the President and Speaker BOEHNER were entertaining earlier in the context of a grand bargain, but Leader CANTOR and other rightwing hardliners forced the Speaker to walk away because they feared violating the antitax pledge. But now a deal on decoupling seems to have Norquist's permission, if not his blessing. We should revisit it.

It is time to recognize that the quickest, most effective and economically sound way to reduce our deficit and debt is a balanced approach that both cuts spending and raises revenues—a plan that mirrors every other successful deficit reduction deal in our Nation's history, a plan along the lines of the ones negotiated by Presidents Reagan, Bush, and Clinton.

I hope my colleagues in the House GOP see the danger of the path they are going down and change course before they take the entire country down with them.

Mr. REID. Will my friend yield for a question?

Mr. SCHUMER. I would be happy to yield to the distinguished majority leader.

Mr. REID. Mr. President, I ask permission to ask my friend a question through the Chair.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. It is true, is it not, that the Senator served many years in the House of Representatives?

Mr. SCHUMER. Eight years.

Mr. REID. And the Senator understands the difference between the procedures in the House and in the Senate, does he not?

Mr. SCHUMER. I do, some.

Mr. REID. And in the Senator's years serving in the House of Representatives, he has seen how quickly things can move over there; is that right?

Mr. SCHUMER. That is absolutely right.

Mr. REID. And coming to the Senate, the Senator has seen how slowly things have to move here in the Senate; is that right?

Mr. SCHUMER. Indeed. I have learned that hard lesson.

Mr. REID. I say to my friend through the Chair that I see what is developing now as very, very bad for our country. It is hard to comprehend—I ask my friend this question—it is hard to comprehend how the House of Representatives, at the height of this fiscal crisis we have, has decided to take the weekend off. Is the Senator aware they have decided to take the weekend off?

Mr. SCHUMER. I have read that. Yes, I have.

Mr. REID. And it appears to me one reason to do this is to do indirectly what they cannot do directly; that is, we have—and I read them here this morning—statements from my friend the Speaker, JOHN BOEHNER, saying we cannot default on our debt; from the whip over there, ERIC CANTOR—or majority leader, whatever he is, second in command—saying we cannot default on our debt. I am saying to my friend from New York that it appears to me they are going to do indirectly what they cannot do directly by not sending us whatever they decide to do in time to get it done.

I think the country is staring in the face a default on our debt because of the House of Representatives being out this weekend. Would my friend comment on that?

Mr. SCHUMER. Yes. I think the leader has an excellent point. To not be here this weekend when the Nation stares at the first default in our 200-some-odd year history is amazing to me, that they would be gone. And when you think about it, either they do not care about defaulting on the debt—and we know Speaker BOEHNER does care about that default. I think he is aware of what terrible problems it would create for this country for decades to

come. So the answer must be what the leader is saying; that is, they hope to jam us at the last minute with something and say: Take it or leave it, which is playing with fire.

I can assure my colleagues in the House that is not how we are going to play ball here. There has to be a fair compromise, not something they come up with at the last minute and sort of toss it over here. That could create default, and if they do it, it would be on their shoulders.

Mr. REID. I say to my friend through the Chair that they may send us something well-intentioned, but I am not sure they understand the rules of the Senate. There are a number of people who are Republicans over here who have stated publicly that they think the debt should be defaulted upon. As my friend knows, most everything we do here is by unanimous consent and, if not by unanimous consent, by the rules of the Senate, which are very strict and very difficult sometimes to comprehend, but they are there.

So I am afraid that what is happening with the House leadership is they think they can send something over here and, as the majority leader, I can figure out a way to get it done. I cannot get it done if we have to follow the rules, which we have to follow, and I cannot get consent, and I cannot get consent on most anything I do around here. So I would like my friend to comment on that.

I appreciate my friend saying that Speaker BOEHNER is a good person. I agree with that. But I am not too sure that this is not an easy way out for everybody over there, that they could say: Well, we did what we wanted to do. I am sorry the Senate could not do it, so I guess our debt is defaulted upon, and we will close down all of the functions of this government and wait for a better day.

Mr. SCHUMER. Well, again, in answering the leader, first, the rules of the Senate would allow any single Senator—and we have a whole handful—to delay things day after day after day after day. Second, there are things out of any Senator's control. For instance, any proposal on an issue such as this would have to be scored by the CBO. We learned on the health care legislation that CBO cannot just sort of push legislation into a machine and an hour later say: Here is your score. It takes days and sometimes weeks. And the fact that just about every procedural motion can be filibustered and delayed means we are getting so close to the deadline that we would be in serious trouble.

Again, I repeat, I find it terribly disconcerting. It is hard to see anything but callousness toward the danger our Nation faces if we were to default by the House not being here this weekend because even a rudimentary knowledge of the House procedures—which I know the leadership of the House has—would indicate to them that if they do not get us something very, very soon and, in fact, they do not sit and negotiate and compromise—which they have refused to do, driven by a hundred, perhaps, Congressmen, many of them new here, who sort of say: We do not care if we default—the consequences of default would be enormous and staggering and would not just go away in a month or two but would be with us for a decade. And here they are back home this weekend when America faces one of the greatest potential economic crises that we have faced.

So I very much thank the leader for bringing this up and asking these questions.

The PRESIDING OFFICER. The senior Senator from Massachusetts is recognized.

VISIT TO THE SENATE BY THE PRIME MINISTER OF NEW ZEALAND, RIGHT HONORABLE JOHN KEY

Mr. KERRY. Mr. President, I apologize to my colleagues. I know this has been previously scheduled, and I know the importance of what the Senator from New York is talking about, and the majority leader, and I completely agree with their comments and would like to share some thoughts on that at another moment. But at this particular moment, we are privileged to welcome here a great friend of the United States, the Prime Minister of New Zealand, John Key.

New Zealand is a country that is in enormous partnership with us at this time, assisting in Afghanistan, engaged in transpacific trade deliberations with us, and in many other ways contributing to one of the strongest and best global partnerships we have.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. KERRY. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the chair so that colleagues might welcome the Prime Minister to the floor of the Senate.

There being no objection, the Senate, at 11:46 a.m., recessed subject to the call of the Chair and reassembled at 12:51 p.m. when called to order by the Presiding Officer.

CUT, CAP, AND BALANCE ACT OF 2011—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. RUBIO. Mr. President, I ask unanimous consent that I be recognized to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUBIO. I was witness a few minutes ago to an interesting and informative exchange and wanted to comment on that briefly. Both the leader and the senior Senator from New York had some comments that I think are important in the context of what is being discussed here today. But I wanted to come to the floor today because we have been getting a lot of phone calls and letters from people back home who are wondering—people—what this is all about. These are folks who are out working every day and raising a family and running their businesses. They want to understand what the debate here is about. They get the gist of it, that there is this debt limit fight, and that Congress, if it does not do anything, may not be able to pay some bills beginning August 2.

But what is behind all of this? The best way to explain it to people is to equate it to the lives of real people in the real world.

Every single one of us as adults has a credit rating. In essence, there are two or three companies out there that basically rate you as an individual. What they do is give you a credit rating that determines, No. 1, whether you are willing to pay back; and, No. 2, whether you have the money to pay people back. Based on that you get something called a credit score. People are familiar with that. Every time you try to go lease or buy a car or buy a house or anything on credit, they are going to run your credit. It is going to tell them: This is John Smith, this is so-and-so, and this is his credit rating. Based on that, people will decide whether to lend you money.

Countries have credit ratings too. It is based on two things. No. 1 is your history of paying people back; and, No. 2, on your ability to pay them back in the future.

There are three major companies in the world that give credit ratings to countries—three major companies. What those companies are saying right now is we are looking at America and we are worried. We are worried about two things. They are worried about this debt limit issue, and the fact that if the debt limit is not raised, they are going to downgrade us because we are going to miss payments on this, that, or the other. They are worried about that.

But they are a lot more worried about something else. It is not our willingness to pay back, it is our ability to pay back people who lend money to the United States.

Let me read you some of the quotes. This is from Moody's, which is one of the top ones. They write: ''If the government avoids default, we will likely affirm America's AAA rating.''

America has the highest credit rating in the world right now that you can possibly get. They say: If we avoid default, they will likely affirm our AAA rating, but they will still assign us on something called a negative outlook, unless there is—this is the money line—''a substantial and credible budget agreement to cut the deficit.''

What they are basically saying is, if you raise the debt limit, you may temporarily avoid being downgraded, but

ultimately we are still putting you on a watchlist and we ultimately are still going to downgrade you unless we have a substantial and credible budget agreement to cut the deficit.

What does that mean? They go on to elaborate. They say: The agreement should include a deficit trajectory—basically a path of deficits—that leads to stabilization and ultimately a decline in your deficit, particularly in how much money you owe compared to how big your economy is.

That is what they want to see, a plan in place that shows how we stop growing the deficit and then how we start reducing it. That is what they are saying. Then they actually talk about specific numbers. They have said, their analysts have said we think $1.5 trillion of cuts this year—over the next 10 years—is a plan that is too little. We think $4 trillion might be enough. That is from Moody's.

Standard & Poor's, the other rating company, wrote very clearly that even if the parties—meaning Republicans and Democrats—agree to raise the debt limit, it may not be enough to avoid downgrade.

That is the second credit house. They are saying: Even if you raise the debt limit, we may still downgrade you. In order to avoid a downgrade, you need a plan that reduces annual budget deficits by at least $4 trillion over the next 10 years.

We hear the $4 trillion number again. This is the second rating company basically saying: Yes, the debt limit is a problem. What we are worried about is, do you have a plan to deal with the debt and the deficit?

Then the third major company, called Fitch, wrote that they are looking for an agreement on credible fiscal consolidation strategy in order to secure America's top credit rating, a triple A.

So the three major houses' rating which is what this is all about at the end of the day, because if our credit rating goes down, interest payments go up on everything from your mortgage, to your car, but, more importantly, on America's debt, which means we are going to have borrow more money to pay the interest on the debt we already owe.

So we cannot allow our credit rating to go down. The three major companies that give us our credit rating are all saying the same. Here is what they are saying in plain English: The debt limit is a problem, but it is the least of your problems. Your bigger problem is the debt. If all you do is pass an increase to the debt limit and it does not come with a serious, credible, substantial plan to deal with the debt, you are in big trouble.

I would submit to you that the biggest issue facing us on this issue is not the debt limit. The debt limit is actually the easiest issue. That is one vote away from being raised. Our biggest issue is the debt, and the fact is that as we speak, there is no plan in place to begin to do anything about it. Our credit is in danger because of this. That is what we should be focused on like a laser.

What will a substantial plan look like? Let's take it from the words of these credit companies: It has to stabilize deficits and begin to show how the deficits come down. We know that $1.5 trillion in cuts is not enough. We know that $4 trillion might be enough.

This is what we need to do. How do you do this? How do you get there? It is not rocket science. It is a pretty simple mix of two things that have to happen. The first thing you have to do is you have to stop spending money at the rate you are spending. You cannot keep spending more money than you have. If you are in debt and you keep borrowing a lot more money than you take in especially, it is only going to get worse. So you have got to control the amount of money you spend. Also what you have got to do is generate more money for government.

So if you can do those two things, if you can control how much you spend and you can generate more money for government, and you can do both things at the same time, that is how you dig yourself out of this. The debate we should be having here is how do you accomplish that.

On the do-not-spend side, we have two choices: You can either trust that future Congresses will do what virtually no Congress in the history of this Nation has ever done; that is, control themselves. And I say this when Republicans were in charge, Democrats were in charge; they have never been able to control spending. If you let politicians spend money they do not have, they will spend it, I do not care who is in charge. That is what history teaches us. So we can either trust that somehow in the future Congress will not do that or we can put into law limits on their ability to do that.

That is why I am for things such as a spending cap and a balanced budget amendment, because I think if you do not have restrictions in place, it is not going to happen. Almost every State in the country has a balanced budget amendment. I come from a State where there is a balanced budget amendment.

I assure you, I do not care who is in charge or how conservative they claim to be. If you do not have laws in place that keep politicians from spending money they are borrowing, they will borrow the money and spend it. History will back that up.

The second is, how do you generate more money for this controlled government? That is the crux of the debate we are having today. Some of my colleagues believe the way you do it is you raise taxes, especially on rich people. To some people this may sound appealing. Here is the problem. It does not raise nearly enough money, if you could even collect it. It does not raise nearly enough money.

From the only tax plans I have seen put out there by the administration and some of my colleagues here on the other side of the aisle, it adds up to less than 10 days' worth of deficit spending. We do know, however, that these increases in taxes could kill jobs.

The other way you can generate more revenue for government—and it is the way I think we should do it—is to grow your economy. You get more people back to work, and so now more people are paying taxes. You get people who are working to make more money because their businesses are doing better and so they are paying more taxes. The government uses that money not to grow government, it uses that money to pay down its debt and control itself. How do you create more jobs and economic growth? You do it by encouraging people, not in this building but outside this building, to start businesses or grow existing businesses.

If you ask those people—not economists, not people on Wall Street, not journalists, not professors, not politicians—if you ask people to create jobs: What would it take for you to start creating jobs again, what they are looking for is a tax system that is fair and regulations they can comply with and then get out of the way and they will do what Americans have always done. Those are our ideas.

Here is the problem. Even as we stand here today, there are few plans on the table to do it. I have watched the President give press conferences. I have watched the President give speeches. I have yet to see a plan from the President. With all due respect to my colleagues in the other party in the Senate, I have not seen a plan from them either. They are the majority party. They control this Chamber. They control the Senate. I have not seen a plan from them.

A moment ago we heard this talk about we have to compromise. It is hard to compromise when the other side does not have a plan. What do you compromise on? Where is your plan? You cannot compromise if only one person is offering plans. There is only one plan that has been voted on by any House to deal with this issue, and it is the one we are on right now—cut, cap, and balance.

I would submit if you do not like cut, cap, and balance, if you do not think we need to cut spending, cap spending, and balance our budget, then show us your alternative. Or maybe you do believe we do need to cut, cap, and balance, but you do not like the way this bill cuts spending, caps spending, and balances spending. Fine. Offer your version of cut, cap, and balance. Let's proceed to this bill. Let's get on this bill the House has passed. If you do not like it, change it. You have got the votes here to do it. If you have got a better idea, bring this bill up and amend it and put your ideas on it.

But how could you ask for compromise? How could you scold Republicans in the House for refusing to compromise if you do not have a plan of

your own? How can a person compromise if they don't have any ideas of their own? It is not a fair thing to say.

So I urge the leadership of the Senate and the President of the United States to offer their ideas on paper—put their ideas on paper and offer them so we can begin to work on this concept of compromise they have offered.

We cannot compromise and negotiate with people who will not offer a plan. Why don't we vote to proceed to cut, cap, and balance—proceed to this bill so we can debate it and they can offer their ideas on this bill. This is the perfect opportunity to do it. Stop negotiating in the media and through press conferences and start doing it on the Senate floor, which is what the people sent us to do. I hope that is what will happen.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HAGAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF RICHARD CORDRAY

Mr. BROWN of Ohio. Madam President, as we debate the best way to get our fiscal house in order, we must avoid, first of all, defaulting on our obligations while also working to make our economy stronger.

While our debt has been rising for several decades—and there is enough blame to go around—it has been exacerbated by the economic crisis that has all too often turned workers and taxpayers into collectors of unemployment insurance, housing assistance, and health care assistance.

We must not forget that the economic crisis was brought on by a financial crisis that pulled our economy into a deep recession.

Some people in this Chamber—conservative politicians in Washington—like to forget this financial crisis ever happened. But throughout the United States—in places such as Cleveland, Dayton, Chillicothe, and Zanesville—fast-talking mortgage brokers in America steered Americans into unfair loans that helped put our economy on the brink of collapse, costing millions of Americans their homes and jobs.

While Wall Street has regained its footing, millions of Americans are still struggling to finds jobs, stay in their homes, and afford health care coverage. Businesses are struggling to access credit so they can hire new workers.

Thankfully, 1 year ago, we passed Wall Street reform. The President signed the landmark legislation that was aimed at providing consumers with protection from abusive rates, fees, penalties in mortgages and credit cards.

The centerpiece of the bill—one of the centerpieces of the bill is the creation of the Consumer Financial Protection Bureau, which is aimed at giving consumers a voice as loud and powerful as Wall Street; frankly, something this city is not used to.

Richard Cordray will be that voice. He is one of Ohio's most talented public servants, who is strongly committed to protecting Ohio consumers and investors.

As Ohio's attorney general, he was a strong voice for Ohioans who struggled during these tough times to stay in their homes, consumers who faced unfair practices by big Wall Street banks who had deceived consumers.

He has targeted institutions—including Fannie Mae—that hid material information from investors, in the process undermining pension funds that provide retirement security for teachers, secretaries, police officers, and janitors.

Coming from Ohio, he has seen firsthand how unscrupulous actors steered Americans into unfair subprime loans that helped push the economy to the brink of collapse, costing millions of Americans their homes and jobs.

Rich took the unscrupulous actors, but he also worked closely with Ohio banks, which are supporting his nomination to advocate the Consumer Protection Bureau because he played it straight and fair. He worked closely with them to promote financial literacy and craft effective, targeted legislation distinguishing traditional banks—those that lend and are the lifeblood of any economy—from those banks engaged or those companies or Wall Street institutions that are engaged in predatory lending.

As he has been throughout his career, Rich will be a strong voice for consumers as the Consumer Financial Protection Bureau carries out his mission. It is a mission of bringing oversight and transparency to checking accounts, credit cards, mortgages and student loans and ensuring that our financial system continues to support job creation. The Consumer Financial Protection Bureau is already starting to make a difference. It is working to make sure credit card terms and loan contracts are written in ways that regular people can understand—in plain English. It has earned rave reviews from industry and consumer groups alike for the substance and process involved in creating a new model mortgage loan disclosure form.

The Consumer Product Financial Protection Bureau is helping our men and women in uniform, preventing them from being targeted by bad actors committing fraud and engaging in deceptive financial practices. You can see them like vultures surrounding military bases as they do it—at Wright-Patterson Air Force base in Dayton and other places.

When Rich was attorney general of Ohio, he was the first State attorney general in Ohio to take on unscrupulous bankers and sue a mortgage lender over foreclosure fraud. He recovered billions of dollars for Ohio.

I am proud to have worked with him to identify financial predators that prey on homeowners facing foreclosure. When he was Ohio treasurer, he worked across party lines to strengthen Ohio's finances.

Besides being a five-time Jeopardy winner, Rich is a great human being and a devoted family man. The challenges he will face in his new position are great, but I know he will be strengthened by the support of his wife Peggy and twins Holly and Danny.

I urge my colleagues to support Richard Cordray to be head of the new Consumer Financial Protection Bureau. It will help consumers, banks, and our economy.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the time during the quorum call be divided equally between the two parties.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN of Ohio. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Madam President and colleagues, I have been struck in the discussion about cut, cap, and balance that there has been virtually no mention—virtually no mention—of the No. 1 issue on the minds of the American people, and that is jobs. What we need above anything else is to create more good-paying jobs. In this discussion about cut, cap, and balance, the whole question of jobs has virtually not come up.

Now, what we know is that between the worst of this fiscal crisis and the end of 2010 we lost 8.5 million jobs, and our country has only recovered a small portion of those jobs. The fact is, many of those new jobs that have been created don't pay as much as the jobs that have been lost. We also know millions of our people can't find full-time work, and they have had to settle for part-time jobs to make ends meet. Cut, cap, and balance virtually ignores that question.

I hear, for example, from our business community that they have a very serious challenge in terms of generating sales. Sales are all about middle-class folks coming into our stores and, in a consumer-driven economy, making purchases. As we have seen a number of

times, David Leonhardt—particularly over the weekend in an excellent piece in the New York Times—described how in one area after another, in terms of consumer durable goods, middle-class folks have essentially walked off the economic playing field.

There is, however, one particular approach to job creation that has a proven track record—a proven track record—and bipartisan support, and it is one I hope the Congress will soon move to. I find that we have plenty of disagreement now in the Congress on a whole host of issues, but whether one is part of the Warner-Chambliss group or any other particular group, there is a sense that even though cut, cap, and balance doesn't talk about it, job creation is the most important issue. The path to that—the proven path to that, Madam President—is tax reform.

The fact is, that is the one unused tool in the economic toolshed. The Federal Reserve has thrown tremendous efforts at trying to boost the economy. The Recovery Act was a path. Various steps have been taken with respect to housing. Tax reform is the one area from the economic toolshed that has not yet been picked up and actually used. I think the country understands what needs to be done. Certainly, the Congress does. We had the report from the Bush Commission—George W. Bush—that made a number of excellent recommendations in their report. The Volcker Commission for President Obama had a number of sensible ideas.

I have had the pleasure of working with two very thoughtful colleagues on the other side of the aisle—Senator Gregg, before he retired, and now Senator COATS—and we have picked up on the model that populist Democrats and former President Ronald Reagan pursued in the early 1980s. It was all about cleaning out scores of special interest tax breaks and using that money to hold down rates for everybody and keep progressivity.

The reason I bring it up this afternoon—in the context of the fact that I sure don't see any mention of cut, cap, and balance focusing on jobs—is when Democrats and Ronald Reagan got together, the results on job creation were real, they were tangible, and we saw middle-class people get a chance to get back into the economy and get back to work.

According to the Bureau of Labor Statistics, in the 2 years after Democrats and Ronald Reagan got together on a bipartisan basis to focus on job creation, our country created 6.3 million new jobs—6.3 million new jobs. Between 2001 and 2008, when tax policy was partisan, we only created about 3 million jobs. We have lost jobs in this last fiscal crisis, looking particularly at the measure that I cited at the end of 2010. So we have to get people back to work.

I see my friend from Iowa is here, and we have talked about tax reform on a number of occasions. Let me just cite an example of an approach on which Senator COATS, a Republican, and I have teamed up. We take away the tax breaks for shipping jobs overseas.

Right now, there are a huge array of tax breaks for, in effect, exporting jobs, when the country wants to export goods and services—goods made in the United States, where we add value to them in the United States and then we ship them somewhere. What Senator COATS and I propose is taking away those tax breaks for exporting jobs and using those dollars for what I call red, white, and blue jobs—jobs that pay a good wage in the United States so we can get full-time employment for some of the folks so hard hit now who can't find more than 15 or 20 hours of work a week that doesn't pay a good wage so they can support their families.

Cut, cap, and balance doesn't raise those kinds of issues. It doesn't raise the fact that when we put people back to work, have good-paying jobs in this country, that generates revenue Democrats and Republicans alike can support.

I know Senator HARKIN has focused particularly on this question of where the revenue is going to come from to pay for our safety net with so many people hurting and falling between the cracks; tax reform that puts middle-class people back to work as we saw when Democrats such as Dick Gephardt and former President Reagan got together that generates revenue both sides can support, private sector job growth that puts folks back to work and gets the middle-class consumer back into the economy and back into our stores.

Look, for example, at the bipartisan proposal Senator COATS and I have. The typical middle-class person can get $3,000, $4,000 worth of tax relief under our proposal, not by raising the deficit, not by spending more money, but by closing out some of these special interest loopholes. Where is that consumer going to go? They will have a chance in a consumer-driven economy to go back into the stores. Maybe they will buy a washing machine, maybe they will buy a computer for their kids. They will go back into the economy and help, as we have seen time and time again over our history, to get our country back on its feet by middle-class people who have good-paying jobs going back into the marketplace and helping our economy grow.

The numbers are striking. Again, after Democrats such as Dick Gephardt got together with Ronald Reagan, in the 3 years after those reforms in the middle 1980s, Federal tax receipts for individuals and corporations rose by $137 billion. That is the kind of revenue-raising approach that Democrats and Republicans alike can support. But we don't hear a word about job growth in the private sector under cut, cap, and balance.

We hear a lot of technical terms about whether Federal spending ought to be 19.9 percent of gross domestic product or should it be 20 or 21. Those are important issues, but to their credit, one economist after another has made it clear that we don't get to economic recovery in this country just by cutting. We are going to have to do some growing.

Colleagues, we are going to have to do some growing. And, to me, to be out on the floor talking about cut, cap, and balance and not paying any attention to a Tax Code that is a job killer rather than a job creator for what I call red, white, and blue jobs in this country just seems to be a mistaken set of priorities.

The reality is, as Senator COATS and I have made clear in offering our bill, the Tax Code is larded down with so many special interest goodies and sweetheart deals, and I just touched on one that we would actually be rewarding: the export of good American jobs. What we ought to be doing is taking away these foolish tax breaks and creating ones that get the middle class back into the economy and get our companies investing in our country.

Now, it does not take a constitutional amendment to do what Dick Gephardt, Ronald Reagan, Dan Rostenkowski, Bob Packwood, and a whole host of Democrats and Republicans got together to do in the 1980s. It requires Democrats and Republicans to work together to take on the special interests that currently benefit from the broken tax system.

Make no mistake about it. Those special interest groups are taking tax breaks that ought to instead go for real relief for hard-hit, middle-class families and American business to create jobs in this country.

I see colleagues on the floor. I want to wrap up with one last point, briefly. I would not say for a second that tax reform is the only component of economic recovery. Senator BLUNT is here, and as chairman of the Trade Subcommittee on the Finance Committee, we have worked very closely together on another important trade issue. What we have seen—and I know Senator HARKIN is interested in this—is the Chinese have essentially been involved in merchandise laundering—some companies. What they have done after they have been found guilty of violating our trade laws, instead of changing their practices and complying with the trade laws, some of these Chinese outfits essentially go to another country and export through that country, and put on, for example, ''Made in Korea''—big implications with these trade agreements—and end up shipping those goods to the United States.

Senator BLUNT and his constituents have made the correct point that is again taking away jobs from middle-class folks. But we have to get back to the issue of jobs on the floor of the Senate. That is the most important question for our constituents.

Staff told me on the way over here that in a recent survey of businesses

cites, again, their No. 1 concern is that sales are going down in their stores. I think everybody in the Senate knows you can often go to a store on a weekend or an evening and you hardly see anybody there because middle-class people are very worried about what is ahead and simply because of these economic times do not have the money to go in and buy those goods and arrange for those services that, in an economy that requires they be in the marketplace, they simply don't have the resources for it.

So I hope my colleagues will oppose cut, cap, and balance. I hope they will see the No. 1 issue in the country is jobs. Tax reform has a proven track record, colleagues—a proven track record: 6.3 million new jobs in the 2 years after Ronald Reagan, a conservative President, and Dick Gephardt, a populist Democrat, got together—a conservative Republican President, a populist Democrat. That is the tool we ought to take out of the economic toolshed and use as quickly as possible.

I hope we will move on certainly to tax reform in the fall, and I hope colleagues will remember that as we have this discussion about cut, cap, and balance. I think it misses the central question of our time, which is job creation. For that reason, I oppose the bill.

Madam President, colleagues are on the floor. With that, I would yield.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. I thank the President for recognizing me, and I will speak and then look forward to hearing the remarks of my good friend from Iowa.

I agree with the simple premise of what Mr. WYDEN had to say. I think private sector job creation should be the No. 1 target for the country today. Frankly, anytime we are not talking about that or what we can do about spending, we are talking about the wrong two domestic issues.

I would suggest, however, it is not like the option today was to bring that bill he described to the floor. I would love to see it on the floor. I would love to see a simpler, fairer, flatter more easily understood Tax Code because I do think certainty is one of the things that makes a difference in that decision to invest. But I absolutely agree the No. 1 priority for the country at this minute should be private sector job creation. And I look forward, as he does, to working on that.

My only fault I find with the premise that is not the reason to talk about this is that is not what we were going to be talking about otherwise. In fact, the week we were going to spend here that was supposed to be the workweek during the Fourth of July, the bill the majority brought to the floor was the Libya resolution, which I haven't seen since.

That was the week we were here to do something about spending, and that is why we didn't do the other things we had scheduled because we were going to talk about spending. The bill the majority was going to bring to the floor was the Libyan resolution, which was the most important thing in the world, apparently, that day, and we haven't seen it since that day.

So while I agree job creation matters, I don't agree that it doesn't matter how much the Federal Government spends. In fact, I think there is a lot of difference in a country where the Federal Government is spending $1 out of $4 that the country can produce in goods and services, or $1 out of $5. Now we are spending $1 out of $4.

For 40 years, before 2008, we spent $1 out of $5. In 2008 we didn't spend an average of 20.6 percent; we spent 19 percent. So we have gone from 19 percent of GDP spent by the Federal Government to 25 percent of GDP spent by the Federal Government, and it matters. That is why spending is the other issue.

What we are talking about with cut, cap, and balance is, How do we get that spending under control? If there is a better plan, I would be glad to see it. But I don't see a plan on spending control coming from anywhere else.

We all know we now have a record debt of almost $15 trillion, at $14.3 trillion and counting. We all know we have spent approximately $7.3 trillion and added almost $4 trillion to that debt since the Senate and President Obama passed the last budget the country had 813 days ago. We all know unemployment has increased by 18 percent since January of 2009.

In the 29 months since then, despite the so-called stimulus package, unemployment has been over 8 percent every month for 29 months, and it was 9.2 percent in the month of June. We also all know that 40 cents out of every dollar the Federal Government spends is borrowed, and we just can't continue to do that. One option might be to raise taxes and think that 40 cents would come in. I am not for that because I don't think higher tax rates necessarily produce more tax revenue.

Until 1981, for 50 years the highest tax rates had been 70, 80, or 90 percent, and people don't pay that tax rate. People definitely don't take a chance and invest in that tax rate. But the fact that we know maybe most of all is we can't keep doing what we are doing now. The status quo is both unacceptable and unsustainable, and we have to look at what it takes, as Senator WYDEN said, to meet the No. 1 priority, which is, What do we do that creates private sector jobs? I think getting Federal spending under control is something that the moment, the moment of August 2, creates an opportunity for us to talk about and do.

Now, why was I one of the first cosponsors of cut, cap, and balance? It is because I thought it had the potential, and I believe it has the potential, to do what needs to be done.

What was ''cut''? Cut was to go back not to 1980 spending levels, but to go back with nondefense discretionary to 2006—just to go back to what we were spending on nondefense discretionary in 2006. Rearrange that as you may want to, rearrange that in a way that better meets 2011 goals, but go back to that amount of money and then set caps.

By the way, in virtually all cases they were growing caps in various categories of government spending for the next 10 years and working within those caps, but knowing every year what they were going to spend.

Then, the third element was, let's balance the budget. While I have always been for a balanced budget and a balanced budget amendment, I believe now more than I ever have that it is the tool that ensures, not just 5 years from now, but 55 years from now that we just have to simply get the resources of government and the spending of government in place. Forty-nine States, including my State of Missouri, have a balanced budget amendment. Every family at some point or another has to deal with the reality of a balanced budget amendment. These provisions take us in the right direction.

President Obama has said he would veto this bill if it passed. It has already passed the House. If it would pass the Senate this week, I don't know that the President would veto it if he really was faced with those options, but he said he would. I guess we might have to test that. But we shouldn't not vote for this because the President said he is going to veto it. We should vote for this because it is the right thing to do to get the spending of the Federal Government under control.

Missourians deserve better. Americans deserve better. Both parties no doubt have contributed to where we are right now in our current economic situation. Frankly, both parties have to find a way out. It takes three things to pass a bill in Washington: It takes the House of Representatives, it takes the Senate, and it takes the White House. My party, the Republican Party, controls one of those. Our friends on the other side control the other two. So how do any of us think we are going to get everything we want in this environment? But we have to work toward the right result. I think cut, cap, and balance would produce that result. I think we do have to get on with the work of being focused on what do we do to create private sector jobs, what do we do to get this spending under control.

American families have to deal with this all the time. It is time their government dealt with it as well. I don't want to settle for business as usual. We have a unique opportunity here. Are we going to be like every other country, like Greece and Ireland and Portugal and Italy and so many countries in the world today? Or are we going to set out on a different path, a path that shows we are prepared to control and rein in Federal spending and do what is necessary to encourage private job sector growth? I hope we can join together and find a solution. This is the moment we need to do it.

Madam President, I am looking forward to working with you and others. I know I am yielding the floor to my good friend, Senator HARKIN from Iowa. We are working together on the Missouri River working group. We are sponsoring legislation together for Special Olympics. We can find solutions to these problems if we want to find solutions. That is what the people we work for deserve. Let's find a way forward.

For me, the way forward would be cut, cap, and balance but I do know we all have to work together or we are not going to arrive at any conclusion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Madam President, I listened both to Senator WYDEN and to the remarks of Senator BLUNT. They are both very thoughtful individuals, thoughtful Senators. I enjoy working with both of them.

Madam President, why are Republicans refusing to agree to raise the debt ceiling, something we have done 89 times since the 1930s, including 18 times under President Reagan? I might point out, the Republicans at that time controlled the White House and the Senate and the Democrats controlled the House.

Also, in September of 1987, President Ronald Reagan used his weekly radio address to urge Congress to increase the debt ceiling. He said—and here it is. I thought it was worth printing out. Here are the exact words of Ronald Reagan spoken in September of 1987:

> Unfortunately, Congress consistently brings the Government to the edge of default before facing its responsibility. This brinkmanship threatens the holders of government bonds and those who rely on Social Security and veterans benefits. Interest rates would skyrocket, instability would occur in financial markets, and the Federal deficit would soar. The United States has a special responsibility to itself and the world to meet its obligations.

I didn't put it on here, but President Reagan went on:

> It means we have a well-earned reputation for reliability and credibility—two things that set us apart from the rest of the world.

Today, so many of our friends on the other side, Republicans, constantly invoke Ronald Reagan as a role model, almost as a kind of a patron saint. I wish they would heed his words and what he said in September of 1987.

I also remind my colleagues when President Reagan realized that his 1981 tax cuts were resulting in large deficits, he turned right around and supported corrective income tax increases in 1982 and 1984. That is right, President Reagan supported income tax increases in 1982 and 1984. In stark contrast to President Reagan's example, today Republicans reject any compromise that requires raising any new revenues from the wealthy.

One of the things we are talking about is eliminating tax expenditures. Those are special interest tax breaks that even Senator COBURN, on the Republican side, described as ''corporate welfare.'' As the distinguished chair of the Budget Committee said in his remarks earlier today, Senator CONRAD pointed out that tax expenditures now total more than $1 trillion, more than all of our discretionary appropriations in the Federal budget.

Here is the difference. The discretionary appropriations for the most part go out for programs such as health, education, research, transportation, security, police, the judiciary—it goes out for that. What do tax expenditures go out for? They go out to support the wealthy. Here is why I say that. The wealthiest 1 percent of Americans get 26 percent of the benefits from these tax expenditures. That is what Senator CONRAD pointed out this morning.

Many of our Republican friends are perfectly willing, indeed eager, to slash Medicare, Social Security, Medicaid, education, other programs that undergird the middle class. But they have made it clear they would rather default on the debt than agree to a compromise that requires shared sacrifice from the most privileged people in this country.

The legislation before us, which is called cut, cap, and balance, and which should be more fairly described, as Senator CONRAD and others have said, as cut, cap, and kill Medicare, this bill that is before us now would enshrine in the Constitution a requirement that two-thirds supermajorities in both the House and Senate vote to raise revenues. Fifty-one percent could cut spending but it would take two-thirds to raise any revenues.

What does that mean? It means as a practical matter that it would permanently lock in the benefits of the current tax breaks for the wealthy, such as the outrageous 15-percent tax rate for hedge fund billionaires, and by building a firewall to protect tax breaks for the wealthiest Americans, this legislation would shift even more of the burden of deficit reduction onto the backs of middle-class Americans. Really, it should be cut, cap, and kill Medicare. That is what it is all about.

Let me take this a step further. In this bill before us that was passed over here from the House, it would cap Federal expenditures at 18 percent of GDP. Where did they get that number? Is that an arbitrary number? Why isn't that 18.5? Why isn't it 19? Why is it 18? I will tell you why. That number has a purpose. The last time Federal spending was at 18 percent of GDP was in 1966, right before Medicare kicked in and started expanding. So, guess what. They want to roll it back to a point in time before we had Medicare. This assault, now, on Medicare comes on the heels of another Republican assault on Medicare. You remember the Republican budget, the so-called Ryan budget. What was its centerpiece? A plan to dismantle Medicare, replace it with a voucher system that would require seniors to spend $6,400 additional out of pocket for Medicare every year. It was basically the dismantling of Medicare, turning it into a voucher system. That was the Republican budget.

So now we have a two-front assault on Medicare by Republicans. One is the Ryan budget, kind of a frontal assault, if you will, to dismantle it, turn it into a voucher system, and now we have the so-called balanced budget amendment that takes an indirect backdoor approach. It would simply defund Medicare. It would put the Federal Government in a fiscal straitjacket and allow it to spend no more than we did in the mid 1960s, before Medicare started. That is why it is at 18 percent.

I would say this legislation before us is also a direct assault on Social Security, the bedrock of our American retirement system. It is vitally important to the middle class of America, to ensure that seniors are able to enjoy their retirement years without falling into poverty or moving in with their kids. Social Security's modest benefit, around $14,000 a year now, has become the biggest source of retirement income for two out of three retired Americans.

Mr. BROWN of Ohio. Will the Senator yield for a question?

Mr. HARKIN. I am glad to.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. BROWN of Ohio. Madam President, I thank the Chair. I heard what the Senator was saying about Medicare. Am I right about this? I know what some conservative politicians in this town think about Medicare. In 1965 when Medicare passed, it was a lot of conservative Republicans who opposed it. Later—I was in the House then. Senator HARKIN was in the Senate. But the first chance that Speaker Gingrich with the new Republican majority had in the mid-1990s, they tried to privatize it. Remember, Speaker Gingrich talked about it withering on the vine.

Am I right, with the Ryan budget they tried to privatize Medicare again and the public rose up against it a few months ago, so is this sort of a backdoor way of going after Medicare? They do not want to acknowledge to their constituents they do not like Medicare because 90-some percent of Americans like Medicare and benefit from it. This is this sort of backdoor approach to put these limits on spending so it will force the privatization and unraveling of Medicare and ultimately Social Security and these programs we care about?

Mr. HARKIN. I think my friend from Ohio put his finger on it. Of course it is. It is a backdoor approach. We all want to have surpluses. We don't want to have deficit spending. So it sounds good: We will balance the budget. Most people say that sounds like a good idea, let's do that, without looking behind this cap they put in of this 18 percent. Eighteen percent is a number picked by the Republicans because that would take us back to where we were in 1966, before Medicare kicked in. It would throttle it, a backdoor approach as a way of defunding Medicare and also as

a way of getting at Social Security, moving it to privatization, which the Republicans never have given up on.

They started under Gingrich. My friend is right. I remember them talking about privatizing Social Security. They have never given up on it. They cannot do it frontally but they are trying to do it through the back door.

Mr. BROWN of Ohio. If the Senator will yield again, imagine what would have happened in 2003 and 2004 with the Senator in the Senate and a lot of people all over the country—including a lot of Republicans all over the country, but not elected Republicans, when we were fighting the privatization of Social Security in 2004 and 2005—imagine what would have happened if so much of Social Security had been turned over to Wall Street. Imagine what would have happened if, in 2005, people would have put all this money in Wall Street instead of their secure lockbox, if you will, the Social Security fund, where nobody is missing Social Security payments and people know what they are going to get. It is predictable, it is always there and always will be. If we put it in these private accounts, there goes the predictability and there goes the solidness of Social Security, right?

Mr. HARKIN. Another thing we ought to think about, I say to the Senator, is this: What the Republicans are saying—there are a lot of Republicans who do not care if we default. They don't care if we default. In fact, MICHELLE BACHMANN, Congresswoman BACHMANN—who is one of their frontrunners for the Presidency—said she would never vote to increase the debt ceiling no matter the circumstances. As President Reagan said in 1987, it would mean that ''those who rely on Social Security and veterans benefits'' wouldn't get their Social Security checks, and that is exactly right.

People have to think about this. If we default, that means all the people who have put their money into Social Security in the past, what we are saying is you may have put your money in there and guess what. We are not going to pay you. Is that what we want to do as a country? Social Security is backed by the full faith and credit of the U.S. Government—more than anything than Wall Street has ever gotten. Wall Street can go under. The Senator is right, if we had put Social Security in the stock market it would be in the toilet now. But we put it into U.S. Government bonds because it is backed with the full faith and credit of the U.S. Government. That is why we have to support Social Security. That is why we can't support this cockamamie scheme they are trying to do here.

I thank my friend Ohio for pointing those things out. It is a backdoor assault on Medicare and on Social Security. People are saying: Well, Social Security—we have to shore up Social Security. It is sound for about the next 20-some years, but looking ahead, yes, we should shore up Social Security. One good way to do it is to raise the cap on Social Security taxes. Well, right now the cap is $106,800 a year. What does that mean? That means if you make up to $106,000 a year, you pay into Social Security on every dollar you earn. If you make over that, you don't. Well, let me put it another way. If you make $50,000 a year, you pay on every dollar you earn into Social Security. If you make $500,000 a year, you only pay on every 20 cents of every dollar you earn into Social Security. Why is that fair? Why is that fair that someone who makes $50,000 a year pays on every dime they earn, every dollar they earn, but someone who makes $500,000 a year only pays 20 cents on the dollar? If you want to shore up Social Security, raise the cap on payroll taxes. Raise the cap. That is something no one is talking about. What are they talking about? Cut benefits. Cut the benefits. Well, we don't have to cut Social Security benefits in any way. We just have to make it fairer in terms of how we raise the payroll taxes.

As I said earlier, the bill before us would require a two-thirds vote before we could even change that. So if we wanted to raise the cap on payroll taxes on Social Security, it would require a two-thirds vote. That means we would never get it done. That means, yes, at some point we would probably have to start reducing Social Security benefits. Well, again, as the Senator from Ohio pointed out, this is a backdoor approach to dismantling Social Security.

Republicans are rejecting any notion of shared sacrifice. They demand we dismantle Medicare, slash Social Security, slash education, cut infrastructure—all those things that undergird the middle class. They shred the safety net for the most vulnerable people in our society, as Senator WYDEN pointed out earlier, but they insist on shielding the wealthiest people in our society from even contributing $1 to the mess we are in.

Lastly, why are so many people here—to pick up on what Senator WYDEN said earlier—obsessed with deficit reduction to the exclusion of the single largest priority we should have in this country: putting people back to work. That is the most urgent deficit we have—the jobs deficit. Senator WYDEN spoke eloquently about that.

My friend from Missouri, Senator BLUNT, talked about that too. He talked about private sector employment. Well, something has to happen to get that moving. It is not giving more tax breaks to the wealthy. The old trickle-down theory, we tried that and it never worked. All these big tax cuts we gave to the wealthy happened under George Bush and a Republican Congress. Look at the mess it got us into. We have been losing jobs for the last several years. Our jobs have been going overseas. It put us in a huge budget deficit.

One of the things we need to do now is not to turn a chainsaw on ourselves but to recognize that the Federal Government can be a powerful force for stimulating the private sector. Again, one of the things I think we need to do is to put more money into the infrastructure of this country. We need to rebuild our roads, our highways and bridges, and our sewer and water systems. We have hundreds of billions of dollars needed to remodel and upgrade our schools all over America. We need a new electric grid, a smart grid. We need to be putting more into green energy so we won't be importing so much oil into this country. There is only one place that has the power to focus on that in a large, comprehensive way, and that is the Federal Government. But then people say: We can't do that. We can't afford it. We don't have any money. Well, they are right.

So there are two ways we can get these wheels of our economy going again: We can either borrow the money or we can raise the revenue. I would prefer that we raised the revenue. There is plenty of it out there. The businesses in America are sitting on, I have heard, anywhere from $1 trillion to $2 trillion that they are not investing. Well, if they are not investing it, I know where to invest it. Let's put it out there rebuilding the infrastructure of America.

Now, that is not the government doing the work; it is simply the government providing the input so that the private sector can go to work. It is not government workers out there who would be building the roads, bridges, highways, remodeling our schools, and rebuilding the new electric grid. No, this is the private sector doing it, but we can marshal the forces from the Federal Government, marshal the power to focus the funds in that direction to rebuild America, to make it a more energy efficient, a better educated, a more innovative, technologically competent future for our kids and grandkids. Once we start doing that, then other elements of the private sector will take off because they will see we have made a commitment to the future, the growth of this country—not a dismantling, not a withdrawing, not a shrinking, but, as Senator WYDEN said, a growth. Once the private sector sees we have made a national commitment to growth, they will start investing.

How many times do we have to learn that the investment we have made in infrastructure has spun off into all kinds of private sector entrepreneurship and jobs and new businesses or research, the money we have put into research and how that stimulates the private sector?

How many times have you heard this old Republican line—I hear it all time—the government doesn't create wealth, it consumes wealth. I hear that all the time. Well, that is nonsense.

Just about a month ago, I had a hearing before my committee, the HELP Committee, which has jurisdiction over the National Institutes of Health. We

had the National Institutes of Health here, and Francis Collins, who is now the Director of it, brought us up to date on what the NIH is doing. He pointed out something very interesting. Some 20 years ago, we began to invest taxpayer money—your money, taxpayer dollars—into something called mapping and sequencing the human gene. It was called the Human Genome Project. It became the Human Genome Institute at NIH. After 12 years, they finished the process of mapping and sequencing the human genome.

The Battelle Institute—a research institute that is privately owned, not government, based in Ohio—did a study of what happened because of that. We invested $3.8 billion in mapping and sequencing the human gene—$3.8 billion. The Battelle Institute said: In the last 8 to 10 years, that $3.8 billion of taxpayer money invested in research resulted in over $790 billion of private sector investment. Let me say that again: $3.8 billion of taxpayer money resulted in $790 billion of private sector investment. Tell me again that the government can't create wealth. Of course, it can because it can marshal the kinds of resources that this sector or that sector can't do. No private entity could have mapped and sequenced the human genome. Well, they probably could have, but it would have taken 40 or 50 years to do it. It took the massive power of the Federal Government to get it done, and in a short period of time.

So, again, this is what we ought to be thinking about: How do we create jobs? How do we put people back to work? I say it is by making sure we have the revenue to invest. We can invest in our infrastructure. I don't mean just the physical infrastructure, I mean also the human infrastructure. That means education and job training.

I just saw a figure the other day. This year, we are spending—of the taxpayer money—$14 billion training Iraqi and Afghanistan security forces. That is for training, $14 billion this year. Yet here in America, for all of our job-training and retraining programs for the entire country—all job-training programs—we are spending less than $10 billion. Do you think the American people think that is wise? Do you think they don't know this? There is $14 billion going to Iraq and Afghanistan to train their security forces while less than $10 billion is going to retrain our workforce for jobs of the future.

Well, I see others have come to the floor, so I will wrap this up.

Deficit reduction is important—I am not saying it isn't—but it is not the single most important thing right now. The single most important thing is to put people back to work. As Senator WYDEN said, that will start to create the demand. It will spur more private investment as the Federal Government begins to invest in the future of this country. That is where we ought to be focusing. Once we get the wheels going again, once we get people back to work and the economy starts to grow, that is when we start to reduce the deficit. To just focus on deficit reduction right now to the exclusion of putting people back to work reminds me of when doctors used to put leeches on people who were ill. It only made them more ill because it drained more blood out of their system. And most times it proved fatal, as it did to our first President, George Washington. Our urgent, No. 1 priority must be to create jobs and put people back to work. We shouldn't just turn a chainsaw on ourselves.

I look at this Republican cut, cap, and kill Medicare proposal we have before us, and what I see is a budget predicated on fatalism—fatalism and fear of the future. We need a budget that is predicated on hope and aspiration, of putting our people back to work.

So put the ideology aside. Come together in a spirit of compromise for the good of this country to have a balanced package—balanced—spending cuts that will take place in the mid-and outer ranges of our years and revenue increases now so we can take that money and start putting people back to work rebuilding both the human infrastructure and the physical infrastructure of this country.

I ask unanimous consent that the time from 2 p.m. until 5 p.m. on the motion to proceed to H.R. 2560 be equally divided between the majority leader and the Republican leader or their designee and that Senators be permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

Mr. HARKIN. I yield the floor.

Mr. CORNYN. Mr. President, I would like to speak on the cut, cap, and balance legislation. I plan to vote yes on Saturday morning to proceed to this bill, and I urge my colleagues to do likewise. I would also like to explain why I think that is important.

Most of us understand what this bill does. It cuts spending next year by more than $100 billion. These are real savings and not smoke-and-mirrors. It caps total Federal spending as a percentage of the economy, and it puts us on a path to keep spending at 19.9 percent of our gross domestic product. Right now, our Federal spending is at 25 percent of the gross domestic product. Our revenues are at roughly 15 percent, so there we have a 10-percent deficit totaling $1.5 trillion this year alone. Of course, those cumulative annual deficits make up our debt, which is now approximately $14.4 trillion.

This piece of legislation also links an increase in the debt ceiling to passage of a joint resolution to balance the budget, and this is an important amendment to the Constitution that is being proposed. I believe we have amended the Constitution 27 times so far. This is a process the Framers of our Constitution embodied in the original document to allow Congress and the American people to amend the Constitution as circumstances change. Clearly, it is obvious to anyone who will look and pay attention that Congress has shown itself unable to constrain its spending and live within our means and to spend only the money we have as opposed to money we borrow from future generations. As important, this constitutional amendment—this balanced budget amendment to the Constitution—is not an extraordinary thing. It may be for the Federal Government, but 49 different States operate under a balanced budget requirement.

I support the cut, cap, and balance legislation because it meets the three primary criteria I am using to evaluate proposals related to the debt ceiling. The first of those three criteria is, No. 1, we must not default. That is not an option. Also, we must not lose the Federal Government's AAA credit rating. No. 2, we must not increase the tax burden on job creators during a fragile economic recovery. This is not just my position; this was the President's position last December when the expiring tax provisions were extended for 2 more years. No. 3, we cannot resort to smoke and mirrors in the hopes of somehow fooling either the credit rating agencies or the American people that we are serious about the spending problem Washington clearly has.

Cut, cap, and balance earned bipartisan support in the House of Representatives, and I applaud the courage of those who crossed the aisle to support this legislation in the House. I hope we see a similar demonstration of bipartisan support for this proposal in the Senate.

I know some of our colleagues on the other side are dismissive of this piece of legislation. I believe the previous speaker—I wasn't here for most of his comments, but I did see his chart—is fairly dismissive of this proposal. For those colleagues who are critical of this proposal, my question for them is this: Where is your plan? Where is your plan? To criticize what responsible Members of Congress are trying to propose as a solution to a problem when they have no plan of their own is irresponsible, in my opinion.

The House of Representatives passed a budget earlier this year but, unfortunately, it has been more than 800 days since the Senate has adopted a budget—800 days. That is approaching 3 years. When asked, the majority leader, Senator REID, said it would be foolish for the Senate to pass a budget. I think he was saying that not because he believes it is foolish to have a budget, but perhaps he thought by attacking the House plan, while having nothing to propose on his behalf, gained some marginal political advantage.

President Obama has ignored his own debt commission for months and the debt problem. We know last December his fiscal commission, the Simpson-Bowles commission, rendered a very

important report documenting in sobering detail the debt problem the Federal Government has—unfunded entitlements, as well as our tax system, which makes very little sense and makes us noncompetitive globally. It is our corporate tax system which encourages—because it makes economic sense—businesses here in the United States to create jobs overseas where it is more efficient, it is cheaper to do so, and where it affects their bottom line in a positive way. Why wouldn't we want to encourage job creators to create jobs here at home by reducing the disincentives and providing an incentive for job creation here in the United States? Until recently, the President has shown very little interest in that recommendation of his own deficit commission.

We know when the President proposed his own budget in February—this is a budget never taken up by a Democratically controlled Senate either in the Budget Committee on which I serve or here on the floor—the President's own budget proposed in February would actually make our debt problem worse, not better. That is why, when we had a vote on the President's proposed budget a few weeks ago—not because our Democratic friends proposed it and brought it up for a vote but because our side of the aisle asked for a vote on it—it failed 97 to 0. None of our Democratic colleagues saw fit to vote for the President's budget proposal because they know it makes the problem worse, not better.

The President finally got engaged a few weeks ago. But the problem we still have is we don't know what the detail of the President's proposed solution to the plan is. He will not say publicly in detail what his plan is. Unfortunately—and this is sort of the nature of the beast—all the negotiations so far that apparently are still continuing are behind closed doors. If there were a grand bargain to be, I am confident what would happen is it would be rolled out on the floor of the Senate or in the House at the last minute, without adequate time to review it or to debate it or for the American people to read it and see how it affects them and to give us feedback. We are representatives of a constituency, and the 25 million people I represent in Texas would like to have a chance to read it and then tell me what they think about it.

We know so far the American people are in the dark about the negotiations, and that is not a good way to do business. That does not help gain public confidence in what Congress is trying to do in dealing with a very serious problem.

Last week, I believe it was the Press Secretary at the White House who actually said that ''leadership is not proposing a plan for the sake of having it voted up or down.''

I think that is a bizarre statement. A person offers a plan because they believe it offers a solution to a problem, not because of some fear of having it voted up or down. That is, in fact, how our system works. The majority rules. But, unfortunately, the President's leadership style is captured perfectly in that statement, and I think it sums up what is wrong with what is happening here in Washington.

I wish to remind my colleagues of the challenge before us, and it is not the debt ceiling; it is the debt. I think those who think it is not real are just whistling past our fiscal graveyard.

Here is what one of the credit agencies, Standard & Poor's, said just this morning, according to Reuters. They said:

> If an agreement is reached to raise the debt ceiling but nothing meaningful is done in terms of deficit reduction, the U.S. would likely have its rating cut to the AA category.

Such a downgrade would have an immediate effect on other securities, as Standard & Poor's said:

> We would downgrade the debt of Fannie Mae and Freddie Mac . . . the AAA rated Federal Home Loan Banks, and the AAA rated Federal Farm Credit System Banks, to correspond with the U.S. sovereign rating. We would also lower the ratings on AAA rated U.S. insurance groups, as per our criteria that correlates insurers' and sovereigns' ratings.

What would be the impact if these credit rating agencies—which seem to have an oversized influence on our lives but they are what they are—what would be the impact of them downgrading the quality rating of our national debt? We know it would yield higher interest rates for American families, for small businesses, and for the U.S. Government. In fact, we know interest rates are at a historic low now because of Federal Reserve policy, primarily. Those low interest rates we may think are a good thing and they have provided some glimmer of hope for our struggling economy. But if they were as a result of a downgrading of our debt by these credit rating agencies or by a default which, to me, is unthinkable—just a 1-percent increase on the cost of credit we would have to pay to people who buy our debt—just a 1-percent increase over current rates would mean $1.3 trillion over 10 years.

So the results of cuts in the billions of dollars are chicken feed compared to what the credit rating agencies could wipe out almost immediately by downgrading our debt. This is what we are risking by not dealing with this problem. This is what we are risking by political gamesmanship rather than trying to work together in a bipartisan basis to solve this threat to our country and to our future.

As the economist Larry Lindsey wrote in the Wall Street Journal last month:

> If interest rates rose to their historical average over the next 2 decades of 5.7 percent, our cost of borrowing would be $4.9 trillion higher over the next 10 years.

So we are left with the obvious question: How can we stop this economic calamity? We can pass this cut, cap, and balance plan or the President or our friends across the aisle could propose something they consider just as serious and just as credible, but we have to do it quickly. So this deadline of August 2 is one we should not flirt with, we should not play with, we should not ignore. We have to deal with it, and we can't just deal with it by raising the debt ceiling because as we have seen from the credit rating agencies, that doesn't solve the fundamental problem. We need to solve the fundamental problem of unsustainable debt or our economic future will not be one of hope and optimism, as the Senator from Iowa was saying earlier; it will be bleak indeed, and it will be our fault.

I see my colleague from Kansas, and I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, it is my understanding I am recognized for 15 minutes; is that correct?

The PRESIDING OFFICER. It is the understanding of the Chair, Senators may speak up to 10 minutes each under the previous order.

Mr. ROBERTS. I see. If I hit 10 minutes, I might ask unanimous consent for an additional 5, and seeing the smile on the Presiding Officer's face, perhaps he will be conducive to that request. I also wish to associate my remarks with the distinguished Senator from Texas.

Every generation confronts challenges. The greatest generation declared victory over fascism and imperialism. The next generation faced down an enormous competition between the United States and its way of life based on free markets, private ownership, and free expression on one hand; and the Soviet Union and its way of life based on central planning, collectivization and police state control on the other. Again, victory belonged to America and the free world.

A new generation in America has now come of age since the Soviet system collapsed. It is a generation that too often, in my opinion, takes for granted the hardship and sacrifice of our forebears. It is this generation that must confront the crippling $14.3 trillion debt—and climbing. We have met the enemy and he ''is'' us. The enemy today is our unsustainable debt, as has been pointed out by speaker after speaker on both sides of the aisle.

I am privileged to represent the people of Kansas and the people of Kansas are rightfully angry over the endless posturing and all the rhetoric and all the fingerpointing regarding yet another increase in the national debt. That is right, another increase in the debt limit. Here we are again trying to reach agreement. I wish the President and the House leadership well in their current talks. I wish the Senate was engaged. We certainly don't need to kick the can down the road any farther.

We are faced with one issue; that is, to rein in spending. Let me point out

that in 2 years, the debt limit was raised nearly as many times as it was in 8 years under the previous administration. It should come as no surprise that the American people in general, and those in Kansas in particular, reject these current spend-thrift policies.

I, from the first, decided it was time to stand up to spending, deficits, and debt. I am talking about the time when we were considering TARP, and we went through that very difficult time when many in the administration—the previous administration—indicated if you did not vote for TARP you were taking a very dangerous road.

I must confess, I have written a lot of speeches down through the years of public service I have been privileged to have. It is that old line of somehow or other we have to set our fiscal house in order not only for us but for our kids and grandkids. How many times do we have to say that? How many times do we have to give the speech? I decided no more during the TARP consideration. I voted no.

I remember the time when the administration folks came in to visit with me to convince me to vote yes. I said: Can you explain to me what a credit default swap is? I had not really heard that term before. They could not. They said they did not have enough time to do that. I just decided to vote no. I opposed TARP. I opposed the bailouts. I opposed the stimulus. I opposed Dodd-Frank. I opposed ObamaCare. And I oppose any increase in the debt limit without real, tangible cuts in discretionary spending and meaningful, structural reform to mandatory spending.

I do not challenge the intent of people who promoted all of these things, but the result has been an incredible increase in our national debt.

Remember the line: Did you read the bill?—that was the question people got when they went back home, faced up to the folks back home, especially with the health care bill. All of a sudden people became aware of the regulations and all the problems—now we have a hurricane of regulations pouring out of the Department of Health and Human Services.

Now the question from folks back home is: Have you read the regulations? If we add up the costs of regulations, for goodness' sakes, clear back in 2008 alone it was $1.78 trillion in cost to the American public. Figure that in regards to the debate about the national debt. That was back in 2008. Think what it is today. It is probably twice that amount. So, consequently, we really have a problem.

Now, since last November the President has spoken to this issue. As a matter of fact, he has spoken rather continuously at the White House and campaign rallies. The problem is, there is no specific plan.

I know Republicans in the House are getting a lot of criticism for their plan. At least they have a plan. The cut, cap, and balance plan has received, as I said, a lot of criticism, but at least it is there. On the other side of the aisle we just do not find anything. There is no specific plan at all. We call that in Dodge City: Big hat, no cattle.

The President's first opportunity to put words into action came in February when the White House submitted its budget request: $3.73 trillion. It was estimated to add another $1 trillion to the debt. Obviously, that did not work. That proposal was defeated 97 to 0 in the Senate. Not too many bills get defeated 97 to 0.

Then, all of a sudden, now, we got into the tax situation. Maybe if we just got involved in a little more revenue enhancement—that is what we call it here; it is called taxes back home. Taxing is not the problem; the problem is spending money we do not have.

In May, the President's budget was, as I said, defeated. And rightly so. So here we are, more than halfway through the calendar year, 2 months away from the end of the fiscal year, and still no budget from this body—over 800 days. Meanwhile, we have met the $14.3 trillion debt ceiling, and it is climbing. Rather than make meaningful cuts and meaningful reforms—specific reforms—the White House and some in the Senate want to increase the debt ceiling again.

Again, we have met the enemy, and he is us.

Mr. President, $14.3 trillion—it is a sum so large that it is difficult to understand. Kansans with whom I visit and who call my office express shock we have allowed it to get to this point. How did we get to this point? Then, if, in fact, we kick the can down the road, what does it mean in regards to—as the Senator from Iowa pointed out—the faith and optimism in our country? What does the future hold for a country that acts this way?

Paying down the debt should be bipartisan. What would Presidents Truman and Eisenhower say of a $14.3 trillion debt? I think they would be pretty harsh. Both Presidents had pretty tough quotes in regards to fiscal responsibility. What we need in this Chamber, what we need in Washington is a very strong dose of common sense and a sense of purpose, as evidenced by previous Presidents when they put leadership first.

Here are the facts. They are stubborn things. They are clear. We borrow 40 cents for every dollar we spend. A lot of people hear that. That is climbing. It is going to be 41 cents pretty quickly.

There is a lot of talk about tax breaks for corporate jets. Boy, am I tired of that. I am tired of this class warfare stuff in regards to saying: If we just apply taxes to a certain, small segment of the economy, or maybe a big segment like oil and gas—the bad guys, the fat cats—boy, if we get them, we can sure solve the problem.

Let's take corporate jets, which I would emphasize represents general aviation. It is called general aviation because the general public uses it. It is not all Hollywood stars. It is not all rich people using these so-called corporate jets. General aviation—it is the people who have to get from here to there because for 90 percent of our airports, a commercial flight does not land there.

What if you have a plant? What if you are a manufacturer? What if you are a farmer? What if you are a rancher and you have to visit several places in the country at one time, say, 5, 6, 7, 8, maybe 30? That is what general aviation is all about.

As a matter of fact, in the stimulus, the President recommended an extension of this same tax depreciation schedule. Now he is blaming the fat cats in regards to taking advantage of corporate jets. That is nuts. What the left hand giveth, the left hand taketh away in regards to this class warfare rhetoric. We make these jets in Wichita. They are great airplanes, and they service the general public for the public good.

According to Charles Krauthammer, the renowned columnist, if we collect the corporate jet tax every year for the next 5,000 years, we would cover only 1 year of the debt the President has run up—1 year.

The general aviation industry will persevere, but we have come through some tough times. We are coming in on a wing and a prayer—that old World War II song that is almost revered. So we will persevere. But can't we end this class warfare business? My Lord, the President talked about it six times in two paragraphs. As I say, again, that is the same industry he tried to help in the stimulus.

Here is another fact: Every cent of taxpayer money is used to pay for entitlement programs and interest payments on the national debt. All discretionary spending is borrowed. That is where we are headed; that is where we are at.

On average, we accumulate $4 billion in debt each day. It would cost each citizen $46,000 to pay the debt off. That means a family with a husband, wife, and two kids would owe $184,000. That is rather startling to Kansas families. They do not have that kind of money. I know perhaps some would say that is apples and oranges with the function of government and the function of families, but it is a good illustration.

We have gone over 800 days—I think it is 810 now—without a budget in the Senate of the United States. During that time, this country has spent $7.3 trillion. We have spent $439 billion in interest on the money we have borrowed.

We do not have regular order. If Robert C. Byrd were here today and sitting in that chair, he would be appalled. He would be making a speech in louder terms than I am, with short sentences, and he would point out we are not doing our duty.

It used to be that we would have a budget. Then we would have appropriations bills. Then we would have the

committees of jurisdiction meet those budget demands, meet that number. Then we would debate it on the Senate floor. Members would have an opportunity to bring amendments. That is how we worked. We do not work that way anymore. There is no regular order anymore.

What we do is bring up huge bills such as Dodd-Frank and the health care bill, usually written in private, and then we vote on it. Then the American public says: Have you read the bill? Then they say: Have you read the regulations?

We have to restore regular order and restore the Senate back to the Senate. People are fearful. The American public is fearful today. They have a real, conscientious worry that America is not the same as it used to be. Why is that? Because I think the American dream is that every American youngster can climb on the ladder of success as fast and as high as he or she can, with nothing government made or manmade in their way. Regardless, they may stumble, hit their chin on a couple of rungs, but, by golly, they get back up and they go right up again.

Not anymore. We have, apparently, a national agenda to level everybody with everybody else. It is called social justice. Nothing wrong with social justice except if it is an agenda to affect everybody. We now have the President of the United States deciding who is rich. It does not make any difference if a person does not make anything 1 year and makes $250,000 the next year; he is rich—despite his or her circumstances, family circumstances, or anything.

We have the national government, the Federal Government deciding everything: light bulbs, what you eat, rural fugitive dust. When a grain truck goes down a gravel road in Kansas we have the EPA worried about it. No kidding. We have navigable farm ponds now, farm ponds declared navigable waters. No self-respecting duck would even land there.

We have regulation after regulation after regulation. I cannot talk to any manufacturer, any business, anyone in Kansas where I have the privilege of speaking without somebody raising their hand and saying: Pat, what on Earth are you doing back there passing all these regulations that really don't make any sense and are about to put me out of business?

My reply to them: I am not a ''you'' guy; I am an ''us'' guy; and I am sure trying to do something about that. I do have a bill on that, by the way, and I encourage my colleagues across the aisle to look at it. I will be talking to you personally.

These are all serious issues, but the most serious matter is the national debt. At the rate we are going, in a few short years we will spend more paying interest on the debt than on all discretionary spending outside defense. Mike Mullen has said this is the biggest threat to our national security: $14.3 trillion. He is right. His comments echo the calls I receive every day from Kansans.

There is a lot of rhetoric going on now, and I understand that. Perhaps I have added to it. If I have offended somebody, I apologize. But let's all take a deep breath, if we can. Debate and posturing is nothing new in this body. In American history, in the earliest days of our Republic, it was between Alexander Hamilton and the Federalists on one side and Thomas Jefferson and his allies on the other. The enmity between these men was so obvious through vitriolic rhetoric. Much of the mudslinging that occurred then would be considered out of bounds by today's standards of political discourse.

Well, as the debate raged on between the early parties over the drafting of the Constitution, it seemed possible that the great American experiment would be over before it even began. Edmund Randolph wrote to George Washington, who at that time had retired to private life, and begged him to ''rescue America from the impending ruin.''

Washington rose to the occasion the way a leader does. He did it for his country, for his fellow Americans. He showed leadership because it was the right thing to do. In the end, a compromise was reached—yes, it was a compromise—to have the Constitution as drafted by the Federalists but with the Bill of Rights included as drafted by the Jeffersonians.

Later, after being elected our Nation's first President, Washington was dismayed over the continuous bickering between Hamilton and Jefferson—not so much different than we are doing today—over a wide range of issues: how to interpret the Constitution, the powers of Congress, the relationship between the States and the Federal Government, and the public debt—even then. Sound familiar?

Well, amidst the feuding, George Washington wrote to Jefferson and said this:

> How unfortunate, and how much is it to be regretted then, that whilst we are encompassed on all sides with avowed enemies and insidious friends, that internal dissension should be harrowing and tearing our vitals.

That is pretty tough. That is the bottle we ought to drink from every morning and stop to think about it.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. ROBERTS. I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, since the founding of our Nation, people the world over have looked to us as a beacon of light because of our freedoms. Others have watched the great American experiment with a perverse hope that it falls. We can only fail if we fail ourselves, if we fail to balance the budget and bring down the debt.

America has always proven itself. We will meet any challenge and confront any enemy. The enemy before us is our own fiscal irresponsibility. It is time to stop talking. It is time to start doing. It is time for the President to come up with a specific plan, and in meeting with Republicans and Democrats in the House and the same in the Senate, let's do our duty.

In some of the toughest early debates in our country, Americans were fortunate to have steady leadership in keeping a hand on the wheel. I hope Members of this Chamber and the current President of the United States can look to character, to leadership, to love of our country to guide us through these very trying times.

Every generation confronts a unique set of challenges. The challenge we face today is the $14.3 trillion debt—and growing. I am so hopeful we can close ranks and confront this enemy. We owe the American people and our forebears no less than victory in this fight.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ENZI. Mr. President, we have spent a considerable amount of time discussing the debt and the deficit crisis this country is facing during the 112th Congress. Although we have heard from the President that we must raise the debt limit, neither he nor any of his Democratic colleagues, with the exception of the three Senators in the Gang of 6, have presented us with a concrete plan to rein in spending and get our fiscal house in order.

Meanwhile, every day we are spending more money that we do not have. While my Democratic colleagues continue to talk about the need to increase the debt limit and get our fiscal house in order, the House of Representatives has taken concrete action to make that happen. On Tuesday night, 234 Members of the House of Representatives joined to pass the Cut, Cap, and Balance Act.

The bill will put the country on a sound fiscal course at the same time that it gives the President $2.4 trillion in additional borrowing authority that he has asked us to provide. The problem we currently face is that we are spending too much money and borrowing too much money.

I agree with our colleagues in the House that it only makes sense for us to increase the borrowing authority if we put the country on a path where that borrowing will eventually end, even though it is a long way out.

The Cut, Cap, and Balance Act takes a three-tiered approach to finding the right fiscal ship. First, it provides some substantial but reasonable cuts to spending immediately. The bill requires us to cut about 3 percent in spending from the bloated Federal budget next year. That cut amounts to more than $100 billion in spending next year.

The bill allows the House and Senate to determine where those cuts are most appropriate. Because we recognize the need to cut in appropriate areas, the Cut, Cap, and Balance Act ensures there are no immediate cuts to Social Security, Medicare, veterans benefits, or to our military colleagues.

At the same time we cut spending, the bill puts in place spending caps that prevent us from spending above a specific amount and puts our spending trajectory on a path where we can achieve a balanced budget. We all wish we could balance the budget tomorrow, but we are spending money at such an alarming rate that it just is not achievable. We are almost borrowing as much money as we take in in revenue. The bill recognizes that fact and gradually caps spending so we can achieve balance.

Finally, the bill gives the President the ability to borrow an additional $2.4 trillion he is requesting, subject to one condition: that Congress passes a balanced budget amendment. We all agree we need to stop borrowing so much money. The only way to stop borrowing is to have a balanced budget—not spending more than we take in.

We have a pretty good idea how much is coming in and how much is going out. That is why August 2 is the day of crisis, and that is including the money we borrow. When we pay the interest, we have to borrow 40 cents on every dollar to pay the interest.

If someone has a maxed out credit card and borrows to pay the minimum balance, do you think they will ever pay that card off? Not a chance. That is the situation we are in.

A balanced budget means we will not spend money we do not have. Therefore, if the President wants to borrow $2.4 trillion more from a country such as China, we need to know it will not force us to borrow money forever. Cut, cap, and balance does not ask for the time for States to ratify a balanced budget amendment after it passes. Their time to ratify gives us time to get where we need to go.

Like families across America, we are going to have to decide what spending is essential. Families have as many ideas for spending money as the Federal Government does. But they know it is not an option to spend what they do not have. They have to decide what is essential and what is nice to have.

I think it is important to take a look at the problem we are facing. If we grasp the size of the problem, we will share my sense of urgency that we must pass the Cut, Cap, and Balance Act.

Our national debt is around $14.3 trillion. Our national debt is almost equal to the whole economy of the United States—everything that is produced and sold in the United States.

Our debt is almost equal to the whole economy of the United States. We call it GDP. That is so we do not really know what we are talking about. That means if we were to pay off the debt, every man, woman, and child in this country would need to write a check for more than $46,000. It would be one matter if that number were projected to decrease or if there were signs that we are making progress in bringing our budget back into balance. But that is not happening. Since the President took office in 2009, our national debt has increased by more than $4.4 billion each day, for a total increase of $3.7 trillion.

I can already hear the President counter that he had a lot to clean up. At what point when things are getting worse instead of better is the President going to take ownership and provide a solution on paper? Lots of speeches, no paper.

The stimulus did not work, so let's not repeat it. If we keep doing what we have been doing, we should not be surprised when we wind up with what we already got—the same result.

Margaret Thatcher, when she was Prime Minister, proved that putting your fiscal house in order increased the economy. They already tried some of the other things, but putting the fiscal house in order is what made the difference.

In 2011 we are expected to spend $3.6 trillion. At the same time that we spend the $3.6 trillion, we will have revenues of $2.2 trillion. That is a $1.4 trillion deficit. If we follow the President's budget, we will have a deficit the next year of $1.2 trillion. The 10-year average, if we follow the President's budget proposal, is nearly $1 trillion in deficits each year.

After his first term, the President's policies are expected to add almost as much debt held by the public as all the Presidents in the history of the United States. That level of deficit cannot be sustained and, contrary to the opinions of my friends on the other side of the aisle, we cannot tax our way out of this problem. Failure to live within our means does not warrant taxing the taxpayers for Washington's failures.

According to the Congressional Budget Office, the top 20 percent of income earners paid almost 86 percent of all Federal taxes in 2007. Those individuals are the job creators in this country. Many of them are small business people who reinvest their profits, even though they have to pay the taxes on them at that time. So they put the profits back into their businesses to make them grow.

Increasing taxes at a time of economic struggle will cost jobs and will lead to more unemployment and higher deficits. Businesses are already reluctant to expand because of the increasing and detrimental regulations coming out every day of this administration. Some of the regulations are not even from current law, so they will be fought in the courts and they will be overturned. But it will be at a great expense, a great delay, because it will take over a 5-year period to do that, and we will experience more pain than any cuts we might make.

Now, rather than increasing taxes, we need to cut spending and reform entitlement programs. Mandatory and entitlement programs now account for 62 percent of all Federal spending. That number continues to rise as the baby boomer generation retires. By comparison, mandatory and entitlement programs accounted for 33 percent of all Federal budget spending in 1964—33 percent up to 62 percent.

The numbers do not lie. Entitlement programs are placing a stranglehold on our budget, and yet there are still calls from my colleagues on the other side of the aisle to keep them as they are. Misinformation from campaigns and outside groups say there is not a problem and we can fix our budget simply by cutting earmarks and finding waste, fraud, and abuse. That is just not true. Even if the money from the Social Security trust fund that has been spent were returned, the length of time a person now lives makes the fund actuarially broke.

These problems are too serious for us to ignore. Erskine Bowles, the cochairman of the deficit commission, said it best when he testified that ''we are facing the most predictable crisis in our nation's history.''

Everyone knows we need to take action. Everyone knows we need to make the tough choices necessary to right our fiscal ship. Yet there are some who suggest we should not act or that we should wait to act.

To those Members, I say we have kicked the can down the road long enough. It is time for us to take serious action to change the trajectory of our spending habits and get this country in a condition that we can be proud to leave to our grandchildren.

We have known that this debt limit debate was coming for months. We can all see that the government is spending money at a rate that will require us to authorize the Treasury Department to borrow more money. Although the date shifted, the fact that the government will have reached the debt limit should come as no surprise to anyone. That is why it is so perplexing the President and my Democratic colleagues have not presented any written plan to get the country back on track.

Well, I guess the President did present one. We voted on it, and it did not get a single vote in this Chamber—not one vote. He did not even talk one Democrat into voting for it. He had an outstanding opportunity to talk about the deficit crisis that the deficit commission pointed out. He could have done that in the State of the Union speech. He could have followed that up with a budget that would have mirrored what the budget commission said. That is kind of where this Gang of 6 is right now with their suggestion.

But that did not happen. Instead, we move on to the crisis and figure that just raising the debt limit will solve everything. We have known it was coming for a long time.

In the House, Republicans passed a budget that would cut the spending by

$5.8 trillion over the next 10 years. Senator TOOMEY and Senator PAUL in this body presented their own budget that would get our country back on track. Senator CORKER has introduced legislation that would cap spending levels and head us in the right direction. I have introduced legislation that would require us to reduce spending by 1 percent for 7 years and cap spending each year to balance the budget. It will work: In 7 years, 1 percent.

Incidentally, that is probably how long it will take the States to ratify the balanced budget amendment. If we are saying we can do it without a balanced budget amendment, we should also pass my 1 percent solution bill and prove that we can. A backup plan is always a good idea.

Most businesses in the United States have to find a way to reduce spending by 1 percent to match the economy or to do the regulations we have forced on them. Most families have to find a way to spend one penny less out of every dollar or face a financial crisis.

Why can't the United States do 1 percent—1 percent each year? By making the 1 percent spending cut, we would save around $7½ trillion over the next 10 years, balance our budget, and we would put the country on a sustainable spending path.

Republicans have offered all of these plans, and we continue to hear only silence from the other side. The only plan presented by the majority, as I mentioned, was President Obama's fiscal year 2012 budget, which was unanimously opposed.

When the President and the majority do not lead, some bill has to take the lead. Members of the House proved that on Tuesday night by passing a plan that allows the President to have his debt limit increase and get our country back on track. The Cut, Cap, and Balance Act is a responsible solution to the problems we face. We are spending too much. Too much spending leads to too much borrowing.

To rein in spending, we must make immediate cuts that prove Congress can act. We must cap future spending to ensure that our spending levels do not grow at an unsurmountable level.

To prevent future borrowing, we need to put into place a mechanism that will require us to balance the budget. Forty-nine States require a balanced budget, and it is well past time for the Federal Government to show the same fiscal restraint.

The President has asked us to give him the ability to borrow $2.4 trillion more, which our children and grandchildren will have to pay back and, if the crisis worsens, it will move up to the current generation. It is money we will need to borrow from countries such as China, which are our competitors in the world and which don't necessarily share the same values. I don't take that responsibility lightly.

This responsibility requires immediate action to correct the problem and prevent future generations from having to make the tough choices our out-of-control spending has forced us to make. The House took the responsibility seriously and passed the Cut, Cap, and Balance Act to right our fiscal ship at the same time we give the President the borrowing authority he so desires. The Senate should follow suit and pass the Cut, Cap, and Balance Act immediately.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous subsequent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I come to the floor today because we are discussing the cut, cap, and balance legislation, which I support. This gets back to a poster I have had at home with my kids over the years. I have a copy of it here. It is called ''the two penny difference.'' It says that if you earn a dollar and you spend the 99 cents, you are OK. But spend $1.01 and you are heading for trouble. This is from many years ago.

Today, spending seems more fashionable than saving. What once was called ''poor money management'' is now called ''deficit spending.'' Whatever it is called, it leads to inevitable headaches for people, companies, and even for governments.

Frankly, that is the situation in which we find ourselves today, a major headache, because as a nation we have continued to spend money we don't have. As a result, we have been borrowing money, significant amounts of money. Actually, it is about $4 billion a day. A lot of it we are borrowing from overseas, and much of it from China. You say, how does one maintain oneself as an independent, strong, and forceful nation when it owes that sort of debt to someone else?

What the American people have told me as I traveled around my State is that Americans believe—and the people of Wyoming clearly believe—they want Washington to cut spending, not increase taxes. The White House doesn't seem to hear that message. They are ignoring it, tuning it out. They have admitted they don't have a plan to cut Washington wasteful spending, and actually the President doesn't think he needs one. I will quote the White House press secretary:

> Leadership is not proposing a plan.

You know, it is saddening, but it is not surprising given this White House's track record of changing positions, saying one thing and doing another, and nobody can predict what they will do. Last week, the President said he would not support a short-term increase in the debt ceiling. He even warned the House majority leader: ''Don't call my bluff.'' We have all seen it on television. Now we know it was a bluff.

The President is now saying he might welcome a short-term increase in the debt ceiling. Yesterday, the President announced—or it was announced by his spokesman—that they would consider the short-term increase. So it is hard to tell what they are thinking at 1600 Pennsylvania Avenue. A lot of times it depends which way the wind is blowing. White House officials aren't the only ones who think it is better to not propose a plan. The story in Roll Call yesterday said that the senior Senator from New York warned the Democrats to not release a plan. The article even said they told the budget chairman not to propose a budget because it would give others around the country something to shoot at.

We have been here for over 800 days since a budget was passed through the Senate, and a Senator tells the chairman of the Budget Committee don't let them see the budget. According to this article, it said he thought it was politically helpful to spend time ''attacking corporate jet owners and defending entitlements.''

Our entitlements are going to be bankrupt in just over 10 years, and some folks don't want to produce a plan to save them or to strengthen them. That is what we are hearing on the floor of the Senate.

People often try to figure out how large this debt is that we have. We spend more on interest on our debt—just interest—each and every day than it would cost to buy several hundred corporate jets, which the senior Senator from New York is railing against. And that is just the interest alone on the debt. That is what kind of money we owe.

This isn't the kind of leadership America needs right now. Even though the White House and my friends on the other side of the aisle continue to send different signals each day, Republicans remain committed to cutting spending. In fact, we put forward the only plan that has passed either House of Congress. It is called cut, cap, and balance. It will cut spending. The American people realize we continue to spend money we don't have. It will cap future spending, and it will require Washington to balance its budgets. Wyoming does that every year. Every other alternative in the Congress, on the Hill, around town, is either undefined or unfinished or only speculative.

I am pleased that the Senate will soon vote on cut, cap, and balance, which is a plan that is good for our country. It is common sense that when Washington is $14 trillion in debt, we must cut spending. When Washington borrows $4 billion a day, we must cap future spending. When Washington borrows $2 million every single minute, we must learn to balance our budget.

Americans understand our country can't continue down this same track. We cannot continue to spend money we don't have. Cut, cap, and balance is the best plan for America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, these are challenging and daunting times. While we are coming out of the worst economic crisis since the Great Depression, with continued high unemployment, our economy remains fragile.

The fragility is not simply a macroeconomic phenomenon. It affects every family in this country who is worried about their employment, about the future of their children, and about whether their parents will still enjoy adequate coverage under Medicare and will still be able to draw some sustenance from Social Security checks. All these worries are in the daily lives of all Americans. We have to respond to that.

The most salient fact that affects most Americans is the dramatic loss of employment, beginning in 2007, 2008, as the financial crisis engulfed this country.

The U.S. economy has lost about 8.8 million private sector jobs just in 2008 and 2009 alone. These were times when a Republican President continued to accumulate huge deficit spending—most of it beginning with tax cuts, which my Republican colleagues supported enthusiastically; two wars that were not paid for, which was supported overwhelmingly by my Republican colleagues; and an expansion of Part D of Medicare, which again they supported. At no time did I hear the kind of outcry about growing deficits we are hearing today.

We all understand that after the 10 years of this decade—8 of which were under the Presidency of George W. Bush—we are in a very difficult deficit position. That position is made worse because our economy has not generated enough jobs. One of the aspects of all these so-called plans—the cut, balance, whatever plan, and all the rest—should be the answer to the fundamental question: How is it going to help us grow our economy and grow jobs in Rhode Island, in Vermont, and in Wyoming? That seems to elude all the proponents of these plans at the moment.

We have seen, since President Obama has taken office, some growth in employment, with 16 consecutive months of private sector job growth—about 2.1 million jobs—in sharp contrast to what was happening during the last 2 years of President Bush's administration. But we have a long way to go. Indeed, we have a long way to go to make up for the surplus which President Bush and the Republican Congress inherited in 2001 and the deficit and economic destruction President Obama inherited when he took office.

Our most immediate and pressing business is to reach some principled compromise on raising the debt ceiling—something that was done, I must say, rather routinely under President Bush about seven times, even though Democrats had very serious disagreements with him on tax policy—a tax policy that was increasing the deficit—and disagreement on wars, which were increasing the deficit as well as distorting our strategy internationally. At no time did we try to use the debt ceiling as the ultimate apocalyptic weapon to bring the President and, perhaps in doing so, even the country down. Yet I hear too many of my colleagues on the other side talking in those terms, particularly in the other Chamber.

The bill that has been passed in the House is an attempt to shrink government, protect the wealthy and special interests in the Tax Code. It ties the debt ceiling increase to passage of a constitutional amendment that would require 38 States for ratification. Once again, we are taking what was routinely done and necessary so we don't default on our credit and making it the vehicle for altering the Constitution of the United States, of building in even additional protections in the Tax Code for our wealthier citizens. This approach they are taking will needlessly jeopardize Social Security, Medicare, and Medicaid, while it enshrines in the Constitution further protections for loopholes in our Tax Code and the tax benefits that many of the wealthy and the large corporations enjoy today.

At the heart of what they are trying to propose in the House, and what they have sent to us, is to make it easier to cut these vital programs—a range of programs that involve transportation security agents at our airports, flight controllers in the towers, and can even involve the distribution of agriculture programs, which affect large parts of our country—not so much in my State but large parts of this country. All that would be subject to the calculation of cutting, cutting, cutting, while it would be extraordinarily difficult to raise revenues.

I don't think that makes sense. I don't think that is what the American people want. From what I have seen from the polling, huge numbers of Americans are frankly saying the wealthiest in this country are enjoying huge tax benefits. I believe approximately 80 percent of the American public believes the first step we should take in balancing the budget is to raise the taxes on the wealthiest Americans. That is what they are saying. They are not saying cut benefits from people who are on the margin, who are struggling—the working poor, who may be just under or over the line to qualify for Medicaid benefits in a State and get health care for their children. I think the American people are smarter and more decent than some of the proposals that have surfaced around here.

Again, the caps on spending are all dressed up as if they will have no real effect on the important programs, but they will have an effect on every program, including Social Security, Medicare, and Medicaid. For people who are still struggling to find work, who are still struggling to find some type of traction in a difficult economy, these cuts can be devastating. Indeed, one of the challenges we have is to generate more growth in our economy again. When we pull back from spending in the economy, that will further accelerate the lack of demand and the lack of any incentive for private hiring.

We are already seeing companies cut back and cut back. What are they saying? There is no demand. People aren't buying. People are saving. They sense—not sense, they know—they have to save more because they are not quite sure whether they will get all of their Social Security check or their Medicare benefits or any other benefits. That drives demand further down and slows the economy further down.

The Republican plan includes overall spending caps that reach 19.9 percent of GDP in 2017, but we have to look at this number in historical perspective. Over the past 40 years, this rate of spending is not only lower than the average spending but, moreover, outlays as a percentage of gross domestic product have only declined to 19.9 percent or lower when unemployment has been 6 percent or below. That makes sense. When the American economy is working, people don't collect a lot of benefits. They have a job and so they do not need the kind of assistance they need today. This cap of 19.9 percent is totally out of the context when it comes to the present unemployment rate of 9.2 percent and, frankly, could perhaps cause an even larger unemployment rate if this program is enacted.

Again, I don't think this makes sense in terms of the simple mathematics or the history or the underlying policies it would inevitably produce in the country. Yet still, in this Republican proposal, we are protecting the most special interests in this country—Big Oil and corporations. Those tax breaks, those tax perks, are still there, and they will continue to be there.

We all recognize we have to make tough decisions about spending and about revenue. What I find acutely ironic is Democrats did that in 1993 and 1997 and we heard about it for years and years, with Republicans assailing us. Of course, by 1998, we had a surplus. We had an economy with an unemployment rate much closer to 5 percent than 10 percent. But all that hard work—without any assistance from the Republicans—was completely squandered beginning in January 2001. Now we are back to the same challenge we faced in 1993 and 1994. But we did it before by making tough decisions. We did it over several years. We did it by trying to balance both cutting expenditures and increasing appropriate revenue and also by recognizing that working Americans need the assistance and support of their government. So we can do it again, and I hope we do.

But the first challenge—the one that has to be met—is to raise the debt ceiling. Defaulting on our debt would have catastrophic consequences. As we approach this deadline, the mere fact we haven't done anything yet is prompting credit agencies to suggest they will downgrade our credit rating. One of the most salient figures I have heard in this debate is that for every increase of 1 percent in our cost of credit and the interest we pay to borrow over 10 years, we will add $1.3 trillion to our deficit. The longer we avoid raising the debt ceiling, the closer we come to actually accelerating the deficit dramatically by increasing the rate we have to pay to borrow funds.

The final point I would make is, raising the debt ceiling is not for new spending we want to borrow money for. This is for the accumulation of the deficit that began dramatically in January of 2001. So I would urge my colleagues to move promptly and responsibly to raise the debt ceiling and then to get to the hard, difficult work of balancing our budget, as we did, as Democrats, in the 1990s, and then later, in 1996–97, with a Republican Congress, further adding to the deficit reduction under the leadership of President Clinton and not some magic plan that is produced overnight.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, one of the things that frustrates the American people about Washington is how hard it is to get reliable information and straightforward answers. We in the Senate and Congress have that same difficulty. It is hard to know sometimes what numbers and statements and plans mean and what they will cost. Politicians offer a budget proposal and they say it cuts taxes even though taxes go up. They even come up with new names to disguise tax hikes, like revenue enhancements or reduced spending in the Tax Code. It doesn't mean eliminating the earned income tax credit; it usually means some deductions somebody is allowed to take, and that has been renamed as spending.

We hear people come to the floor and blame our massive deficit on anything and everything but our out-of-control spending, whether it is the war in Iraq or it is a tax cut passed a decade ago, or it is special preferences for private yachts or Lear jets. We can't have an honest budget if we can't talk honestly and factually about it, and I hope to be able to contribute in some way to clarifying the issues. I will do my best today to plainly state some of the things I think are plainly true.

First, I wish to address the myth that the President has a $4 trillion deficit reduction plan. Some believe that the President has a plan to reduce spending by $4 trillion, but the only plan the President has put on paper and allowed anybody to see is his February budget, which doubles the national debt. The President has never put a single spending cut plan on paper that actually reduces spending, and he has no program that would substantially reduce the deficit. If he does, it is a closely guarded secret.

His budget, which he submitted earlier this year, increases taxes significantly but has greater increases in spending. By the Congressional Budget Office analysis, it would increase the deficit more over the next 10 years than if the budget were not passed at all. Indeed, it would increase the gross debt of the United States by $13 trillion, doubling the entire debt of the United States again in the next 10 years.

If there is a secret plan that does exist somewhere, it should be made public this afternoon. Let's see it. I would like to. I think millions of Americans would feel the same way. Summaries don't work.

The President summarized his budget, which I just described, as calling on Americans to live within our means and will not add more to the debt. That sounds pretty good, because this year our deficit is projected to be $1,500 billion. So we want to be living within our means again and we do not want to add more to the debt. But even by the President's own analysis, the plan didn't do this. The Congressional Budget Office, Congress's independent agency, analyzed the President's budget and found that in 10 years, the lowest single annual deficit that would occur would be $740 billion. The highest budget deficit under President Bush was $450 billion. But under the President's budget, the lowest deficit that would be accrued would be $740 billion. It goes up in the outyears until it goes over $1 trillion, over $1,000 billion in the tenth year of his budget.

How can that be living within your means? It will not add more to the debt? Every single year would be adding to the debt. So we can't deal with summaries and spin statements about a plan until that plan has been put in legislative language and scored.

We also have received no plan from our Senate Democratic colleagues. For a time there a couple of months ago, the Democrats were on the path of producing a budget in the Budget Committee as required by statutory law. I, as ranking Republican, was very anxious to see it. We were told we would get it the morning of the hearing, not a bit sooner. I grumbled about that. I wanted to have a little more time to see it. But we never received a budget. I think the majority leader and the Democratic leadership, not our committee chairman, decided they didn't want to have a budget. One of the committee folks said it would put a target on your back. Senator REID said it would be foolish to have a budget. Why would it be foolish to have a budget? Well, you can't say your budget calls on you to live within your means if you actually put it out there. People can score it and find out whether it is true.

We haven't had a budget this Senate in 813 days. As of now, there is only one debt limit plan on paper, only one plan available for public scrutiny and review, and that is the one we are considering today, cut, cap, and balance. It cuts spending immediately, it caps it so it won't go up, and it requires the passage of a balanced budget amendment to ensure that Washington ends deficit spending once and for all.

The American people do not support a Washington plan to pass some grand deal with tax hikes that never go away and with spending cuts that are talked about but never materialize. They are wise to the gimmicks and accounting of Washington. They are not happy with us.

At this very moment the people's Representatives in Congress preside over a country that borrows 40 percent of every dollar its government spends.

People in the Tea Party are angry. And why shouldn't they be angry when this kind of leadership has occurred in the Congress of the United States of America? It is utterly, totally indefensible. It should never, ever have happened. Yet, it has. It threatens our financial future. It threatens our economy and our economic growth. So the American people are not happy about it.

That is why I introduced a piece of legislation that would require 7 days to review any bill that would increase the debt limit, because this is going to be complex. People want to bring it up at the 11th hour under a panic mode. Some warn that if we don't pass it tomorrow, the world markets are going to be destabilized, interest could go up. I don't know, some of those things could happen. So we absolutely should do something. But we ought to not wait until the last minute and have plopped down in the Senate some big complex bill that has got to be passed before the sun rises the next day and nobody has time to analyze it or score it to find out what it means.

But our Democratic colleagues here in Washington are resisting the cut, cap, and balance bill because there is no gimmick in it. There is no accounting trick to get around if this becomes law. They know it will work. And for the big spenders, the only thing you don't want to pass is a piece of legislation that will work to contain spending. You see, they want to spend more. They think if they continue to spend more, then they can go and demand you raise taxes to pay for it.

Washington is going to have to end this spending spree. These kinds of difficult choices are the responsible choices families, cities, States, and county commissions are making every day, every year.

In Alabama, Governor Robert Bentley oversaw an across-the-board cut of 15 percent from the general fund in the

current year because of the constitutional prohibition on deficit spending. Alabama is not going to run up debt. For next year, he has taken a cautious approach. Hopefully we will have more revenue, but he is cautiously approaching next year and he has proposed cuts of up to 45 percent for some agencies that he felt would be appropriate places to reduce spending. Those are tough choices. But unlike Alabama, the Federal Government is not required to live within its means.

Another myth I wish to address is the idea that our current budget crisis is the result of two wars and a tax cut. We have heard that over and over again. The wars cost money, a good bit of money. Over the entire decade, the cost of the Afghanistan and Iraq wars is about $1.3 trillion. That is a lot of money. Again, that is over 10 years, over a decade. This year alone, the deficit is expected to be $1,400 billion, or $1.4 trillion. The deficit this year will be larger than the cost of the wars in Iraq and Afghanistan over 10 years. So the driving force behind our deficit is not the wars in Iraq and Afghanistan. It is not. War costs represent only 4 percent of total outlays over the last 10 years. The total amount of money spent since President Obama took office is $8.5 trillion. By the end of his first 3 years in office, we will have added $5 trillion to our gross Federal debt. These are stunning numbers.

As I said, President Bush had a widely criticized—in many ways rightly criticized—$450 billion deficit. Since President Obama has been in office, the deficits have been 1.2, 1.3, looks like this year it will be $1.4 trillion, each year, more than double the deficit under President Bush.

We are borrowing close to half of what we are spending every single day. In 2 years, nondefense discretionary spending increased 24 percent, 12 percent a year on average. This is our discretionary spending. This isn't Social Security and Medicare, which increase more than that. The stimulus package alone added into law the largest expenditure bill in the history of the American Republic. It cost more than the entire war in Iraq has cost. In a single day in 2009 we passed it on this floor, over my objection, and every penny of it was borrowed. We were in debt, but they said: The economy needs to be stimulated so we are going to spend 850 or so billion dollars.

The spending when President Bush took office was less than $2 trillion. Today, it is almost $4 trillion. It will be almost $6 trillion by the end of the decade. There is only one honest answer to the question of why our debt is rising so fast, and that is out-of-control domestic spending.

Another myth that is circulating, which I wish to address, concerns the outline from our colleagues and friends who participated and worked hard on the Gang of 6 proposal. I give them a lot of credit and respect for the hard work they put into it. I wish it had been produced a month ago so we could have actually had legislative language and know what it would mean today.

The authors of the summary, though, that they just produced for us, claimed the approach would reduce the deficit by $3.7 trillion over 10 years. That is a little over one-third or so of the deficit we projected to see in the next 10 years. But my staff on the Budget Committee, taking the summary pages they produced for us, can only find $1.2 trillion in reduced spending in that outline, along with what is a very clear $1 trillion tax increase.

Where does the other $1.5 trillion in deficit reduction claimed in the outline come from? Chairman CONRAD, one of the members of the Gang of 6 and our chairman on the Budget Committee, a man I respect and have enjoyed working with, even said the outline has a $1.5 trillion tax cut. But this is compared—this is how these numbers get bandied about—it is compared against a baseline which assumes more than $3.5 trillion in tax increases would occur. So they are only going to increase taxes, I guess, by $2 trillion, and you can get savings by not having them go up as much. But based on the current tax rates that are in existence in America today, as we read their outline—and I think they would agree—it increases taxes by $1 trillion over 10 years. That is a large amount.

The real cost of the tax changes, some who have looked at these numbers say, is not $1 trillion but $2 trillion. That remains to be seen. Hopefully we will get the legislative language that can actually be analyzed, and we would know how much our taxes would actually go up.

The last myth I would like to address is perhaps the most important of all, and this is the myth that we only need about $2 trillion in actual spending cuts over the next 10 years. That has basically been what our colleagues are saying. They float the idea of $4 trillion in savings. What they mean is that you save $2 trillion by reducing spending and you increase taxes $2 trillion and you have saved $4 billion over 10 years. I am not sure that is what the American people are expecting of us when we say we are saving money. By taking it from them? It is not saving the American people more. It is not saving the private economy more, to take another $2 trillion from them. There is no free lunch. Somebody pays.

Our Democratic colleagues have said, although no plan has ever been made public to this effect, that they could get behind the budget deal that reduces the deficit $4 trillion over the next 10 years, half of it composed of spending cuts. This is not even close, frankly, to what is needed to ultimately balance our budget. We are projected to spend $46 trillion over the next 10 years. A $2 trillion reduction is only about a 4-percent reduction in spending, and that is set to increase by almost 60 percent.

Remember, we will say we are reducing spending. We are not reducing spending, we are reducing the rate of growth in spending by $2 trillion on a $46 trillion plan. Think about it. We are not talking about reducing spending. This budget would have the expenditures go up significantly in the next 10 years to $46 trillion. The $2 trillion means we are just reducing the growth of spending by $2 trillion. The $2 trillion in tax increases would mean we would still spend the same $46 trillion, but we just would borrow $2 trillion less because we have extracted more from the American people.

In just a little over 2 months, our debt will reach 100 percent of our economy—100 percent of GDP. That is the gross debt. That would match the size of our economy. It costs us 1 million jobs or more a year when gross debt reaches this level.

We have the Rogoff-Reinhart study that shows that when a country's gross debt climbs as high as ours has, it starts pulling down economic growth. Secretary Geithner said it is an excellent study. He said in some ways it understates the problem we have. Secretary Geithner knows this debt is a real problem for America.

We expected 3 percent growth the first quarter. It came in at 1.8 percent. Could that be because we have crossed the 90-percent debt-to-GDP threshold, and that debt is now a burden on the economy that is reducing growth? The experts have also downgraded the projected growth for the third and fourth quarters of this calendar year. It is very serious.

Christina Romer, who used to be in President Obama's White House on economic matters, said 1 percent growth means you will add 1 million jobs. So if our economy grows at 2 percent instead of 3 percent we will fail to add 1 million jobs we could have added. And I truly believe the debt is the reason we are having surprisingly low growth rates, below projected rates. Maybe I am wrong, but we certainly have a study that seems to say that exactly, and it has been widely praised by economists all over the country.

The honest truth is that this President and his Democratic Senate are not going to agree to the level of spending cuts in a debt deal that is necessary to put our country on a sound path. I think that is a fact. We have been negotiating and talking all year. The House laid out a budget plan. The Senate has refused—813 days without a budget. They are determined not to reduce spending after increasing domestic spending, nondefense, by 24 percent. They say they will freeze spending—freeze spending at levels that have jumped 24 percent? We do not have the money. We are borrowing 40 cents out of every dollar we spend.

Unfortunately, we're in a battle over the vision for the future of America. It is a big-government vision a lot of our Members have, and they are going to work as hard as they possibly can to preserve that vision, preserve that spending. After running up this huge

debt by a 24-percent baseline increase—that does not count the stimulus package of almost $900 billion that is thrown on top of that—now they want to go to the American people and say: We are not going to cut spending; you have to pay more in taxes. I don't think that is what the American people want, so we have a national debate here.

This is the great debate of our time. It is not going to be settled in 2 weeks. A few people are not going to meet in secret and work out some grand and glorious deal. I wish they could, but I don't think they will. I would be pleased if they do.

I am confident that the good sense and wisdom of the American people will ultimately prevail. I am confident we will eventually get our spending under control. We will restore the American principles of limited government and build a better, freer future for our children. We will raise the debt limit, but we will also put this country on a sound path. If we get our debt under control, I think our economic growth will rise quickly, and I believe we will see the progress we have always seen in this great, productive, dynamic country.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Mr. President, we have reached a point in this country's history that I never thought I would ever see, which is that the major credit rating agencies have all said that our credit rating is in jeopardy and that the United States may face a downgrade of its debt.

You and I both have had our issues with the credit rating agencies that failed to predict the crisis we were driven into by very poor business decisions. I can't even really call them business decisions—horrible decisions that were made that drove our economy off a cliff, both here and in our financial markets, both in Washington among our politicians and among people who securitized debt, sold it off, and took no responsibility for it. Having said all of that, I don't think these agencies have any political incentive other than to shoot straight on this question of the condition of our debt.

One of the greatest assets we have always had as a country is the steadiness of our credit. Countries and investors all over the world use it to finance transactions that otherwise would be difficult to do because we have an AAA rating on our debt.

Now we are facing a downgrade because we cannot even have an adult conversation, a polite conversation about a path forward. People should be very clear about what this means. This is not just a Washington problem. If we blow through our credit rating and if our interest rates rise by 1 percentage point—just 1 percentage point—that is going to add $1.3 trillion to the debt over the next 10 years. If it goes up 2 percentage points, that is $2.6 trillion added to the debt over the next 10 years. That means we will continue to pay our borrowers interest and we will continue to underinvest in the children of this country, in our infrastructure, in our research and development—in all of what will allow us to compete in the 21st century. For what? Just to pay higher interest rates to people because we could not come to an agreement here in Washington.

I have spent the last 2½ years traveling around the great State of Colorado, a State which is complicated politically, which I enjoy, because we are one-third Republican, one-third Democratic, and one-third Independent. If I had to boil down the essence of what I have heard from people in my State about what they want us to be doing, it is that they want us to approach this question the same way they would approach this question. They want us to materially address the problem we have. They want a material solution to it. They know we cannot fix this overnight, a $1.5 trillion budget deficit and a $15 trillion debt, but they want us to fix it. They want to know that we are all in it together, that we all have a role to play to solve a problem that is too big for any one of us to solve or any group of us to solve. They want it to be bipartisan because they have no confidence in my State in either party's go-it-alone approach.

I would add a corollary to all that: We need to satisfy the capital markets that the paper they bought is actually worth what they paid for it and that the United States of America is going to stand behind that paper and is going to be able to stand behind the paper. This is one of the reasons I have supported an approach the Gang of 6 has brought forward—because it meets that test. It may not be perfect in all respects. I know there can be disagreement about it. But that is one of the reasons I have supported it. It is bipartisan, it is a measured approach, and I cannot say the same for the bill we are considering today.

Among other things, even if you thought this was a good idea, even the proponents of the legislation say it would take 10 years before this constitutional amendment would take effect. What we need to be doing over the next 10 years is figuring out how to get our fiscal house in order. I have other issues with it as well, but I think the point I want to make today is we need to work together in a bipartisan way to create a measured approach. You know what else. We cannot declare victory then even when we are able to say to the credit markets, you know what, we have had a disaster. This did not used to be our standard as Americans.

I know I have heard the Presiding Officer on the floor many times talk about the state of the American economy, and I agree with him and his diagnosis. If I had to pick one fact over the last 10 years from our economic life—and I see the Senator from Oklahoma is here, and I will wrap up in 1 minute. What worries me the most is that median family income has fallen the last 10 years for the first time in this country's history. It stagnated for a while before that, but it has fallen for the first 10 years. The average family income went up over that period of time. Median family income has fallen and the cost of higher education has skyrocketed, the cost of health care has skyrocketed, and it is harder and harder for the middle class to get ahead. Our economic production in this country is roughly the same as it was before we went into this recession, but we have 14 million fewer people doing the work because they are unemployed. We need to have a set of tax policies, regulatory policies, that is driving innovation in this economy and a policy to drive energy independence and make sure we are fiscally responsible.

Before I leave the floor, I want to thank the Senator from Oklahoma who is here today. He and I probably don't agree on most things—we disagree about a lot of things—but I want to thank him and the other members of the Gang of 6 for the work they have done. I want to thank him and DICK DURBIN, in particular—one of the more liberal members of the Senate—for voting for the deficit and debt recommendations that were made by the bipartisan commission that was appointed to the deficit and the debt committee. It took real courage for him to do that. It took real courage for DICK DURBIN to do that. It is going to take real courage for the 100 Members of this body and for the Members of the other body to produce a plan to address this fiscal problem that no one would agree with every single aspect of but that we can come together and agree is worthy of the aspirations we have for our kids and our grandkids.

Time is very short. If we trip over this debt ceiling and if we fail to uphold the full faith and credit of the United States, no one is going to be asking any one of us what pledge we made about this or what pledge we made about that. They are simply going to observe when we were 1 of 100 Americans—out of over 300 million Americans—we let the unthinkable happen to this country.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Oklahoma.

Mr. COBURN. Madam President, I wanted to spend some time talking about what is coming forth Saturday morning. As a member of the Gang of 6, I am wanting us to solve our problem. But the best way to solve that problem would be the bill that is going to be voted on Saturday morning. Why is

that? We are borrowing $4 billion a day, and I have enough gray hair to know that regardless of all the good intention and regardless of all the statements of the Members on the floor that we will never live within our means in Washington until we are forced to live within our means, and just because a constitutional amendment would take probably 4 years to pass—given what the American people think about it—isn't a reason not to go on and do it no matter what we do about our short-term problem coming up August 2. So the very fact people would say we are not going to pass the Cut, Cap, and Balance Act because it won't happen in a period of time is exactly the same approach that got us $14.3 trillion in debt, that has our credit rating at risk and puts us in the kind of problems we have today.

I have offered a plan I think is even better. I know not many of my colleagues will, but here is a plan to cut $9 trillion over the next 10 years. It is the only plan that specifically states what you would cut, where you would cut it, and why you would cut it. It is backed up with the facts. Nobody else can claim it. You don't have to like all of them, but what we do know is if something doesn't come out of this body between now and August 2 that cuts at least $4 trillion, this country is going to see significantly increased interest rates as a cost of that. What so often happens is you hear wonderful words and wonderful speeches on the Senate floor but nobody putting their name on where you would cut. Well, I put my name on $9 trillion worth of cuts. It pinches everybody in this country. Everybody. But you know what. We are all in this. We have lived for the last 30 years on the backs of those who are going to pay the taxes for the next 30 years. It is time we start paying back. It is time we start giving back.

The Senate is a different place today than when I came to the Senate. When I came to the Senate, the idea was not to block legislation but to discuss legislation, to have the courage and the backbone to vote against something and go home and tell your constituents why you voted against it, to offer amendments you thought would improve legislation and defend those amendments, and to vote for a bill you thought was in the best interest of the country and be able to defend that. What has happened in the last 3½ years in the Senate is we don't vote because the politicians of the Senate don't want to go home and explain their positions. So if you are not voting, you are not accountable and you are not responsible.

That type of behavior is exactly the opposite behavior we need to have. So Saturday morning, when Members of the Senate vote against proceeding to cut, cap, and balance, they will display either courage or cowardice. I am not talking about simple words. There is only one plan that has passed the House of Representatives that raises the debt limit and addresses what is said to be needed by the rating agencies, and that is cut, cap, and balance. And to not allow proceeding to that debate whether you agree with it or not—you can change it through amendments. You have the votes to change it through amendments. But to not allow it to proceed so the American people can see their elected Senators and their real positions and what they know has to be done—you know, what happens around here is we say things so we can protect our political careers. You know what that does? We are not only bankrupting financially, we are bankrupting our country's history and heritage. The heritage of this country was sacrifice, and that means even sacrifice of political careers to do the right thing right now for the country.

I believe if you were to pass something like this, we would lower our debt by at least $2 trillion over the next 10 years, the economy would absolutely boom, and we would quit undermining self-reliance and enforcing dependency. We would hold accountable a Pentagon that is wasteful, we would eliminate duplication of hundreds of programs that all do the same thing with multiple layers of redundancy and administrative bureaucracy. If we were to do that, this proposal will never come to a vote in the Senate nor any of the aspects of it because Senators don't want to make those hard choices, and that is what the debate about cut, cap, and balance is all about. It forces Senators to go back to embrace the heritage of this country and make the hard choices. If you don't pass a balanced budget amendment and you don't force the discipline, the political expediency of this country will continue to run and the problems will not be solved.

I would also say raising the debt limit doesn't have anything to do with our real problems. That is just the symptom of the problem. The problem is not living within our means. Somehow thinking the U.S. Government is different than all the State governments, all the city and county governments, every family in this country, every business in this country, and every other organization in this country that has to live within its means, I refuse to believe the American people will not hold Members of the Senate accountable for not giving them a chance to put those fixed parameters on us and their government for the future.

We are going to hear all sorts of reasons why we can't do that, why we won't do that, or we may not hear many at all. What we will see is voting against the procedure with no comment whatsoever. My plan is if that happens, to be all over this country to make sure every citizen of every State of every Senator who does not allow them to proceed is aware of that. I want to personally make them aware of that. Because what you are doing is denying the liberty and the freedom of this country to hold you accountable to do the right thing. So we are going to see.

I wanted to spend a few minutes saying that the only thing that is possible right now to solve the problems in front of us—even though I have endorsed a $9 trillion plan and $3.7 trillion plan—the only thing is this $6 trillion plan. It has passed the House of Representatives. They voted to increase the debt limit and they put significant cuts into our budget for next year. They put significant caps as we go forward and they said we have to vote to pass a balanced budget amendment. Right now that is the only thing that will get us out of a jam. You know what. That is not hard to do. The first point, we are going to cut another $111 billion at least next year, no matter whether that passes. We are going to cap spending in the years that go forward whether or not that bill passes. But the difference is as soon as we get our balance again, the politicians who don't want to make hard choices will be back to not making hard choices and we will get in trouble again. That is why it is absolutely critical that this country's citizens have the ability to hold us accountable within the parameters of living within our means.

We will hear all sorts of reasons why we can't do that, that it might hurt the poor. Nobody here wants to in any way intend anything other than support for those who cannot help themselves. That is their excuse, we can't do that. Well, let me tell you what is going to happen in our country. The very programs that help the poor are going to be diminished in the future through fiscal necessity when we are mandated to make cuts to be able to borrow more money. So it is a false statement because by not voting for a balanced budget amendment, what you are saying is I want to plan one thing but I know something else is going to happen.

I paraphrase a statement by Martin Luther King that I think describes this place more than anything I have ever known and it was this: Vanity asks the question: Is something popular? Cowardice asks the question: Is it expedient? Character asks the question: Is it true and right? We have tons of vanity. We have tons of cowardice. We limit ourselves on courage and character.

As we listen to the debate over the next 2 days on this motion to proceed on the only thing that will solve the problem in front of us today, I want my colleagues to listen for political expediency, I want my colleagues to listen for vanity, and then I want them to search hard for courage and character because we will see an absence of it from those who oppose this. They know this will solve the problem. They know this is one of the few things that can pass the House of Representatives. Yet we are not going to have it come to the floor for an amendment process, for a full debate, and for a vote. We are not going to allow it to have a vote because

we are political cowards. We do not want to truly address the problem because it might affect our political careers. That is a sad commentary on the heritage of this country—a sad commentary—but it is a commentary to be expected; otherwise, we would never have gotten into the position we are in today.

Let me talk about some details of what we can do. We are going to hear all sorts of reasons why we can't do things and all sorts of reasons why we couldn't come up with $9 trillion. But when the American people truly know what is going on—if they go and read about it in ''Back in Black''—when they find out about the background of all the waste, all the duplication, all the stupidity that goes on in our government, all the lack of accountability, the lack of responsibility in bureaucratic agencies, all the silly decisions that get made that spend billions of dollars and don't help anything—the Tax Code. Tax earmarks and tax credit and tax expenditures are nothing but, most of the time, corporate welfare or socialism. The greatest tax in the world comes when we allow the Federal Reserve to print money which devalues our assets through inflation and the earnings on those assets. So the greatest tax in the world that is coming in America is we are going to devalue the dollar and inflation is going to go up and what we can earn on our assets is going to be limited by the interest rates, and the differential is that which we actually lose in real value of what we own every day.

The other thing I would point out is, through the tax earmarks and tax credits in our Tax Code, anybody who doesn't get one of those is actually paying for it. So if a person doesn't have an ''in'' up here, if a person doesn't have a lobbyist, if a person doesn't have some special interest looking out for them and they are not getting one of those, they are paying for them through the increased taxes. It is inherently unfair.

Let's look at duplication for a minute. It is interesting to look, as we have gone through the government programs in a detailed fashion, at the GAO report. We have 100 different programs with 100 sets of bureaucracies for surface transportation. Why do we have that? Because Congress has mismanaged. That is why. Because of expediency, because of vanity, because of wanting to get reelected, we create another program, another program, another program. It looks good and sounds good, but nobody ever does the research to see where they overlap. Nobody ever requires us to ask if this program is effective, and nobody ever looks at the Constitution to see if it fits with article I, section 8 of the Constitution—the enumerated powers we are supposed to live by and which we blow by all the time doing things.

Today, the Judiciary Committee passed a bill for State prisons called the Second Chance Act. When we passed it the first time, I finally let it go because it was supposed to be a demonstration and a limited program. It is now going to get reauthorized for 5 more years. It legitimately has zero role for the Federal Government, and we are going to spend $600 million which we don't have. We will borrow. It is well intended, but it is not our role. It is the States' role. We have hundreds of thousands of examples such as that, where we have ignored what the Constitution says so we can look good politically.

We have teacher quality programs. Teacher quality programs—82 different programs by the Federal Government to improve the quality of our teachers. Thomas Jefferson was truly the father of education in our country. He worked for years to establish the University of Virginia. He was committed to the fact that a great education will produce great benefits, not only for the individual with the education but for their family and our country as a whole. Here is what he said: For the Federal Government to become involved in education would require a change to the U.S. Constitution, and he happened to be one of the people who wrote it.

What have we done since the beginning of the Department of Education? We have spent $2.6 trillion on education in this country at the Federal level and every parameter measuring a metric on the progression of our kids in school is worse or the same after that $2.6 trillion. Hey, it is not working. The reason it is not working is a person can be a teacher at home and the Federal Government looks at that person and they don't know what to do, but we can hire that person to do the work in Washington and all of a sudden that person knows what they need to do. So we have this massive bureaucracy that has ruined our education because we spend all our money filling out forms and requirements and meeting mandates and we have taken the power and control of education away from the parents and teachers, the very people who care most about the success of the kids. So $2.6 trillion with nothing to show for it, other than for the politicians to feel good about themselves and to say we were doing something.

We have 88 different economic development programs, with $6 billion just in four of them. Not for 1 of those 88 programs is there a metric anywhere that says it is money well spent that gets a positive result for the country. There is anecdotal evidence that says it worked here or it worked there, but we don't know what we are doing. We are throwing money we don't have at things we don't know are working and when we go to vote for them to eliminate them, the Senate votes against it because it might bother their political position. It might bother their next election. We don't do it. We don't address it and do our job.

I will never forget in one of the committees I was on last year, two separate times bills were brought up in committee that were doing identical things that we were already doing in the agencies. The Senators and their staffs didn't know it. Had I not raised objections, we would have created more agencies.

Eighty programs for transportation assistance—80. If it is our role, why do we need 80? Oh, by the way, has anybody measured to see if any of the 80 actually work? The answer is no. We have none that have a report on whether they are effective to the goals of what they were set out to do because there is no oversight carried out by Congress. We were so busy earmarking for so many years, everybody forgot to check to see if what we intended to do is working, and we still aren't doing it.

We have 56 different programs to teach the American people to become financially literate—56. The Federal Government is teaching financial literacy when we can't balance our budget. We have multiple programs. We don't live within a confined budget. The first principle of financial literacy is living within your means. Yet we have this many programs—56—to teach American citizens to be financially literate.

Job training. Here is one of the best. This is great. We have 47 job training programs that cost $16 billion a year. All but three overlap one another. That is what the GAO says, and there is not a metric on one of them to see if they are working. When we talk to the people who go through the program, half of them say it is a waste, it is a joke. I have actually talked to them. Yet we are spending that kind of money, in excess of $15 billion a year, on job training programs. There is no question we need job training programs, but we need job training programs that work. Why would we need 47? So when somebody tells you we can't balance our budget, you ought to blow a hole right through them with your thought that says you obviously don't know what is going on in the Federal Government.

Homeless prevention/assistance, 20 different Federal programs. We should be helping people who need our help. I am not denying that. But how we help and the mechanisms of the way we help ought to be frugal, efficient, and effective.

I have served in Congress—I am in my 13th year, 6 years as a Congressman, 4 years out of here to get a breath of fresh air, and now my seventh year in the Senate. What I know is, we don't know what we are doing, and it is obvious looking at our budget. It is also obvious looking at the dysfunction of the Senate and the leadership in the Senate, that we—we haven't had a budget in 2 years. The one thing any financial counselor will tell you is the first thing you have to know is where you are and set up a plan. We have had no attempt to bring a budget to this body in well over 2½ years—no attempt. What does that tell us? It goes back to vanity. It goes back to cowardice. It goes back to

us not doing what we are intended to do because we care more about our position than we care about the country.

There are 18 programs to feed the hungry. We have 17 disaster response/preparedness, just in FEMA—17 different programs, of which 11 overlap. FEMA didn't set those up. The bureaucracy didn't create those; we did. Every one of these programs was created by a Member of Congress. So we can't blame administrations and we can't blame Presidents. What we have to do is blame Congress.

We have 130 overlapping programs in the Department of Agriculture; 18 overlapping programs in the Department of Commerce; 230 overlapping programs in the Department of Education; 17 in the Department of Energy; 36 in the Department of Human Services; 32 in the Department of Homeland Security; 60 in the Department of Housing and Urban Development; 40 in the Department of the Interior; 53 in the Department of Justice; 35 in the Department of Labor; 6 in the Department of State; and 180 governmentwide if we look at all economic development programs. We just listed the 88 that run through 4 of the agencies.

Is it any wonder we are going belly up? The problem is us. The problem is we have a solution now that has come to us from the House and we are not going to let that solution go forward because politically—politically—it is uncomfortable. Politically, we don't want to allow the people of this country to decide whether we ought to live within our means and put a bridle with a bit in our mouth that says, whoa, you are not going to continue to destroy the future of this country and the prospects for our children anymore.

When I came to the Senate, I came after having read a book called ''Running On Empty.'' It was written by a man by the name of Pete Peterson. He was bipartisan in his criticism of both parties, and he was absolutely accurate. We are in trouble because parties matter more than the country, because control matters more than the country, because political careers matter more than our children or our grandchildren.

So I go back to talk about what is possible. A lot of people would disagree with what is in here; this $9 trillion of what the House has sent us would take about 60 percent of it. But here is what I say to my colleagues who don't want to vote on a balanced budget amendment, don't want to vote on cut, cap, and balance. Where is your plan? I have listed 625 pages of specific cuts, elimination of duplication, elimination of waste, elimination of fraud, and 3,000 footnotes that looked at every program throughout the Federal programs—looked at every CRS report, looked at every OIG report, looked at every GAO report, looked at every OMB report, and looked at every other outside report we could find.

The fact is, we could solve our problems tomorrow, America. We could solve them tomorrow, with good old-fashioned common sense that the vast majority of Americans have and is sorely lacking here.

We do not have a fiscal crisis. We have a commonsense crisis in this body and in the leadership in Congress. We lack common sense, we lack sound judgment, and we need the hard bit of a bridle put on us through a balanced budget amendment to control us. Because human nature is human nature in whatever we do today, we will be back to our bad habits tomorrow. Even if we pass cuts, even if we cap spending, if we do not have a balanced budget amendment that forces us to live within the constraints of our revenue, we will be back here again.

What does that mean? That means the future of America is suspect. It does not have to be. We do not have to go the way of every other republic. We do not have to fail over fiscal issues. We can cheat history. The American people are the greatest people in the world because they are a blend of all the people in the world and they desire freedom and opportunity and that is limited because we have limited it.

We, through our profligate spending, our inattention to detail, our failure to do oversight, have undercut the potential of our country. Let's restore it. Let's restore it Saturday morning by moving on to this bill and allowing ourselves to have a debate, offer amendments, and truly debate—have what the Senate has not had in a year and a half: a real debate about the issues of our day and the reasons behind it.

But I would caution the American people. Remember what Martin Luther King said as you hear that debate: Vanity asks the question, is it popular? Cowardice asks the question, is it expedient? But conscience and right and good asks, is it right?

I tell you, it is not right to have multiple programs doing the same thing, wasting our kids' future. It is not right for the Congress not to do oversight and eliminate programs. It is not right for us to spend money we do not have on things we do not absolutely need. It is not right for us to take the control of our children's education from the parents and teachers who have their best interests at heart and place it in a bureaucracy that has no compassion whatsoever, even though it feigns that it does. It is not right. It may be politically expedient, it may be popular to some people, but it does not make it right.

As you look at this, here is how you get $9 trillion, and you can pick any part of that to meet this cut, cap, and balance or you can come up with your own. But the fact is, nobody wants to lay on the table what they think. I have already been roundly criticized in the press for certain aspects of this by people who disagree. That is fine. I am planning on defending everything I put in here. With the best of my knowledge and a great staff that spent thousands upon thousands of hours on this, we came up with a way to solve America's problems, and we can do it.

America can be bright, can be growing, can be developing jobs, if we get the government out of the way and limit the role of the Federal Government.

I see my colleague from Delaware, one of my great friends. We hear that said a lot here, but he is a great friend. It is not the conventional, common greeting. I believe I am over my time. I will be back to the floor to finish this conversation.

But America needs to know we do not have any problem we cannot fix. What we lack are leaders who will fix it. That is our deficit. It is a deficit of courage. It is a deficit of will.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, thank you very much for this time to speak.

Before Dr. COBURN leaves the floor, I thank him for the kind things he just said. As to TOM COBURN and I—a lot of people say: Well, that is an unlikely duo who would end up working together as much as we have and actually having the sense of trust and friendship. There are things people certainly find in me not to like, and the same is true of all of us. But I would say, there is nobody in the Senate who cares more about getting our deficits under control. He and DICK DURBIN have shown terrific courage and leadership, along with others in this so-called Gang of 6, and also as members of the deficit commission, in trying to get us to a comprehensive, bipartisan solution as to how we rein in the budget deficit without destroying our economy, making sure we do not pierce the debt ceiling and have our financial world begin to crumble around us. So I very much appreciate what he said today. I heard most of it, not all of it. I have had a chance to work with him in a number of areas.

What we try to do, and Senator MCCASKILL—who is presiding at this moment—what she tries to do, along with others of us who serve on the Homeland Security and Governmental Affairs Committee, is we try to look in every nook and cranny of the Federal Government. Whether it is defense spending, entitlement spending, domestic spending, we look at the so-called tax expenditures, tax breaks, and so forth, and we look at all of them and ask this question: How can we get a better result? Whether it is health care, education, transportation, defense, how can we get a better result for less money or how can we get a better result for not much more money?

We need to do that across our government. We need to change, if you will, the culture in the Federal Government from sort of a culture of spendthrift—which a lot of people think we operate under—we have to change it to a culture of thrift and not just for a couple

weeks or a couple months or a couple years; I mean for as far as the eye can see, until these pages who are sitting in front of me—who are rising juniors in high school—until they are rising juniors in college and out of school and off into the world and well beyond that. That is what we need to do. That is part of our obligation.

One of the recommendations—I am going to go back to over 1 year ago when we voted on whether to create a deficit commission that would have a number of members who would be responsible—some elected, some not—they would have a responsibility to look across the Federal Government and to come back to us at a date certain with ways to rein in the Federal deficit to get us back on a more fiscally sustainable and responsible track.

We voted in the Senate. Our Presiding Officer will recall not all the folks who were cosponsors of the legislation that created the deficit commission actually ended up voting for it. In fact, seven of them who were cosponsors—as I recall, I do not believe any of them were on this side of the aisle; I think they were on the other side of the aisle—ended up voting against it, and we did not actually have the votes to create the deficit commission.

With that happening, a number of us encouraged the President to use his Executive powers to create one by Executive order. He did that. Last year, the deficit commission was created, and there were 18 people named to it. Madam President, 12 were elected, 6 were not, and he named 2 cochairs. One was Erskine Bowles.

Erskine Bowles, who is he? He used to be, in the second term of President Clinton's administration, Chief of Staff for President Clinton. Erskine was asked by President Clinton to negotiate the deficit reduction package with the Republican House and Senate. At that time, during those years, Republicans were in the majority in the House and Senate. President Clinton said: Erskine, go out and negotiate a deficit reduction deal, where some of the deficit reduction comes on the revenue side and some comes on the spending side, so we can follow up on, actually, an earlier deficit reduction package adopted in 1993 with only Democratic votes. But he said: Let's see if we can't actually balance our budget. We had not done that since 1968.

God bless Erskine Bowles and the folks he negotiated with too. He went to work in 1997 and came up with a deficit reduction package with 50 percent revenues, 50 percent spending that had everything on the table. A long story short, we ended up with a balanced budget—not 1, not 2, I think at least 3 years in a row at the end of the Clinton administration and handed off to a new administration balanced budget surpluses as for as the eye could see.

I remember Alan Greenspan testifying, I think, before the Banking Committee, when Alan Greenspan was the Federal Reserve Chairman. He said he was concerned at the time we were going to pay down our debt too soon, too fast. I mentioned to him later that concern was misplaced because we certainly did not pay down our deficit too fast. About starting 10 years ago, we turned black ink surpluses as far as the eye could see to red ink, to deficits as far as the eye could see.

A lot of people like to reinvent history. They say we did not do much to reduce deficits in the years from, say, 1993 to 2000. Actually, we had two big votes, one in 1993, with all Democrats—and I am not saying this in a partisan way—and one in 1997, where the Republicans in the House and the Senate actually negotiated in good faith with a Democratic President. With those two packages together, with a strong, robust economy, we balanced the budget not once, not twice, three times, created something like 21 million new jobs, and ended up for the decade ending in the year 2000 among the nations with a balanced budget and the most productive workforce on the face of the Earth. Those were halcyon days for our country. We need to get back to that.

So President Obama, naming the cochairs of the deficit commission, goes back to an earlier President and taps the same guy, Erskine Bowles, to be a coleader of the deficit commission.

On the Republican side, the President asked a guy a lot of people remember, Alan Simpson, a Republican Senator from Wyoming, here for a number of years, as maybe the funniest person who ever served in the Senate. He is also one of the most insightful, commonsense deficit hawks, and a great guy to be a partner with Erskine. They went together.

We had 12 Members of the House and Senate—6 Democrats, 6 Republicans—and some other folks from civilian life. Dave Cote, who is chairman and CEO of Honeywell, was among the private sector participants. But they worked for months and gathered input from all kinds of sources and came up with a broad-based plan that was recommended, adopted, endorsed by, if you will, 11 out of the 18 Commissioners. That was not the magic threshold of 14 before it actually would be the official recommendation of the Commission, but it was a majority, and it included 3 Republican Senators: Judd Gregg, who was then a Senator from New Hampshire, TOM COBURN, and MIKE CRAPO. I thought they were courageous, those Republican Senators.

On our side, among them included KENT CONRAD and DICK DURBIN, and I want to say MARK WARNER, but I may be mistaken. MARK has been all over this stuff. I think he has been a real leader, but I am not sure if he was the third Democrat. Yes, the third Democrat was John Spratt, Democrat from South Carolina, chairman of the House Budget Committee. But anyway, those three Democrats and three Republicans basically agreed to a package and said: Let's reduce the deficit over the next 10 years by $4 trillion. Let's do it mostly on the spending side—two-thirds to three-quarters on the spending side—but let's have revenues as well.

They did not propose raising the rates. What they actually proposed was to reduce the rates for business, put us more in line with other advanced countries, bring us down from about 35 percent to somewhere roughly between 25 percent and 29 percent on the corporate income side, to reduce personal income tax rates for middle- to low-income families to as low as 8 percent, and to actually reduce the upper income rate from somewhere in the mid thirties to the high twenties. But at the same time we would bring down the rates. We would eliminate not all but a lot of the so-called tax expenditures.

The tax expenditures—what are tax expenditures? They are tax breaks. Some folks call them loopholes. Actually, a lot of them are meritorious: the mortgage deduction, deductions that will encourage people to make charitable donations, stuff that a lot of us will say: We don't want to change that. We don't want to get rid of that. But if you add all those tax expenditures over the next 10 years, do you know what that adds up to? Madam President, $15 trillion. Think about that. Add all the tax expenditures for the next 10 years, and it is $15 trillion. If we only were able to somehow reduce that by 8 or 9 percent, we would come up with the revenues that were called for in the Bowles-Simpson deficit commission to be part of a $4 trillion package.

In order to be able to bring the rates down, to lower the rates, broaden the base—in order to do that—we are going to have to take more than 8 or 9 percent out of tax expenditures. They may have to be reduced by as much as 50 percent.

I would argue, at the end of the day, we should preserve the deduction for interest we pay on mortgages, especially for our primary home. Also, to encourage charitable donations, I think we ought to preserve the deduction for charitable donations. There are others as well. But those are a couple of the good ones. But that was sort of the sum and substance they came up with.

Among the things the Bowles-Simpson commission also said we ought to have on the table for deficit reduction is entitlement programs.

What are entitlement programs? Things that we are entitled to by virtue of our age, our station in life. If we are 65 years of age and we have paid into Social Security and Medicare, we may be eligible—we will be eligible, in all likelihood, for Medicare. If we are disabled and totally unable to work, we will be eligible for Medicare even before age 65.

If we paid into Social Security for a number of years, we would be eligible for early retirement for Social Security at age 62. If we want to take it later, we can take it at age 67 for full

retirement benefits, which I think are roughly about $2,000 per month max, something like that.

Medicare and Medicaid, Social Security are entitlement programs. They said they should all be on the table. They did not propose using Social Security to balance the budget. But they did say: We have a long-term problem in Social Security with an imbalance between now, the amount of money that is coming into Social Security, and the amount of money that is going out.

As the baby boomers are starting to retire—my generation—we are paying out now, for the first time in a long time, more in Social Security benefits than we are raising. The reason is, for today it is roughly, for every one person receiving Social Security benefits there are about 2½ people working. Before long it will be for every one person receiving Social Security benefits, it will be two people working and paying into Social Security. The mismatch of inflow into the Social Security trust fund versus the outflow is going to get worse not better.

Sometime, a couple of decades down the road, we are going to start running out of money to pay 100 percent of Social Security benefits. We will not have to stop them all together, but we will have to get them a pretty serious haircut. I was a freshman Congressman, sworn in on January 3, 1983. The day I was sworn in at the other end of the Capitol, they told all of my freshman class: We are going to run out of money in Social Security. That is what they said.

We said: Well, when? In a couple of decades or when?

They said: No. This year. This year.

We said: Are we going to provide a haircut, reduce Social Security payments?

They said: No, we are going to stop making them because we are running out of money in the Social Security trust fund.

That was where we were on January 3, 1983. Thanks to the good work of the commission led by Alan Greenspan and others, but the good work they did then, they handed off to us not just a problem but a solution. Their solution was a combination of new sources of revenue for Social Security and some reductions in benefits, gradually raising the full retirement age over a period of 25 years from 65 to 67; requiring what people pay into Social Security, State and local employees, among others. A balanced plan.

Ronald Reagan, then President, provided political cover to Democrats to vote for that. Tip O'Neill, then Democratic Speaker of the House, provided cover for the Republicans to vote for that. Almost everybody, House and Senate, Democrat and Republican, drank the Kool-Aid and voted to preserve Social Security. It preserved it for another 25 years. We did not have to stop paying Social Security benefits that year or the next year or the next year after that. We had a significant surplus that has gone up in the Social Security trust fund.

But now it is beginning to be paid down. But the fund is going to be going in the wrong direction in the years to come. Over time the outflow will increase as my generation retires. The question is, Do we wait until the 2020s or 2030s to do something about it? I do not think we should. I swore, 28 years ago, I did not want to hand off to the next generation the problems we should solve today.

We have an opportunity not to use Social Security to balance the budget, but actually under the plan that has been now sort of reworked from the Bowles-Simpson deficit commission, the opportunity to secure Social Security for the next 75 years, and to do it in a way that involves a number of, I think, relatively modest changes, some new revenues, and to gradually increasing the full retirement age from 67 to 68 by 2050, and from 68 to 69 by 2075.

Remember, when Social Security was first introduced, signed into law by FDR back in the 1930s, a person had to be 65 years of age in order to receive Social Security benefits. The average life expectancy then was just over age 60. Think about that. Back then a person had to live to 65 to draw benefits. The life expectancy for most people under 65 was between 60 and 65.

We are talking today about a life expectancy closer to 80. People still get early benefits for early retirement benefits under Social Security at age 62, but to gradually increase the full retirement age and make a couple of other changes as well that on the surface do not seem to be major changes—in fact, I think they are relatively modest. But when we put them all together over many years, it is a lot of dollars and a lot of people.

We can put Social Security on a safe footing for another 75 years. The idea is to actually kind of wall that off from the rest of the problems so we are basically preserving Social Security for a lot longer, for my lifespan and the lifespan of these young pages who are about 16 years of age, throughout their lifetimes as well.

On Medicare—let me talk about Medicare, health care for people 65 and over, people who are totally disabled under the age of 65 and are unable to work. We will spend this year about $550 billion in Medicare—about $550 billion. The amount of fraud in Medicare—Eric Holder, our Attorney General, tells us that fraud each year from Medicare is about $60 billion. That is roughly 10 percent of the amount of money we spend in Medicare—$60 billion. Roughly 10 percent.

GAO keeps track of something else that is called improper payments. One of the things GAO does is tell us every year how much we are making in improper payments in our Federal Government across the board. They said last year improper payments were about $125 billion. That is different from fraud. That is just overpayments, accounting mistakes, that sort of thing—$48 billion in improper payments for Medicare, and another $60 billion, according to Eric Holder, just from fraud.

If those numbers are true, $60 billion out of $550 billion in Medicare payments, that is actually more than 10 percent. Well, let's just say it is only 10 percent or close to 10 percent.

How are they doing over in the private sector? How are they doing in the private sector in terms of controlling their fraud? Well, their fraud costs are not 10 percent of their costs. That is probably not a surprise. They are not 9 percent. They are not 8 percent. They are not 7 percent. On balance, they are probably closer to 5 percent, and in some cases less than 5 percent. Roughly half, their fraud cost, over Medicare. Maybe they are doing something over in the private sector to control fraud in ways that we can learn from in the Federal Government. If we can learn those lessons, maybe we can provide better rules for less money in Medicare.

Let me give you a couple of examples. Improper payments. Last year Medicare had $48 billion in overpayments, mistakes, that kind of thing—$48 billion—separate from fraud. The President said we are going to cut it in half by the end of next year, from roughly $50 to $25 billion. If we do that for 10 years, 10 years times $25 billion, what does that add up to? $250 billion. That is real money around here, one-quarter of a trillion dollars.

If Eric Holder, our Attorney General, is right on the fraud side, we actually have $60 billion in fraud losses for Medicare in a year, if we could cut that in half—and we put in the health care law, the new health care law, all kinds of tools to do that kind of thing. If we can cut that in half, that would be a savings of $30 billion a year. Over 10 years that is $300 billion—$300 billion in potential fraud savings, $250 billion in potential savings by cutting in half improper payments for Medicare. That is $550 billion. That is over $½ trillion.

For those who say we have to savage Medicare and Medicaid in order to reduce outlays in them and achieve savings in Medicare and Medicaid, that is not correct. That is not true. Let me give you a sense for where some of the money is being lost in fraud.

I have learned a new term this last week called the ''death master file.'' Maybe you have heard that term before but did not remember it.

But we are trying to keep track of the folks who are dying so that we—when people die who are getting Social Security, we do not continue to send out Social Security checks forever for people who are dead. The same thing with folks who are eligible for other benefits, whether they are benefits for—whether they happen to be educational benefits or health benefits. We do not want to pay benefits for folks who, frankly, are not with us anymore.

By the same token, we want to make sure that when doctors die, we do not face the possibility that someone steals their provider ID number, their Medicare provider ID number, or their Medicaid provider ID number, if they have one, and write prescriptions for, among other things, controlled substances. What we have today are crooks, criminals, stealing provider ID numbers from dead doctors and using those to write prescriptions for controlled substances, which then feed the drug trade and provide profits to criminal groups.

The inspector general tells us in the most recent report in terms of buying advanced wheelchairs, we spent almost $200 million a few years ago. Over half of the payments did not meet the Medicare reimbursement rules for the wheelchairs.

We have to be smarter than that. Over in Japan—I have my friend from Florida sitting here waiting for me. He is cooling his jets, but he will not do it for long, so I will close with this: As he knows, we served together on the Finance Committee, and we used to serve together in the House. He is an old friend and a good one. But as we wrestled with health care reform legislation a year or two ago, one of the things we heard in our hearings was, over in Japan—we compete against Japan, friendly competition, but they are our competitor in a lot of ways: electronics, cars, any number of products, we compete against them. They spend about 8 percent of GDP for health care. We spend 16 percent. They get better results: longer life, longevity, less infant mortality. They get better results. They spend half as much, they get better results. They cover everybody. They cover everybody.

I would like to say, they cannot be that smart. As smart as they are in Japan, they cannot be that smart, and we cannot be that dumb. There are any number of ways that we can actually save money that does not reduce benefits in Medicare or Medicaid. We can learn from some of the things they are doing to uncover fraud and reduce improper payments in the private sector and just navigate some of those ideas over to the public sector, and find out what works.

I like to say—this was Alan Blinder's. Alan Blinder testified before us a couple of months ago, a month or two ago, as the Senator will remember.

Alan Blinder said: In terms of reducing the deficit, especially on health care costs, he said: I am not an expert on this thing, but here is my advice to you. Find out what works. Do more of that.

Think of that. Find out what works, do more of that. The converse of that would be, find out what does not work, do less of that. If we do that sort of thing, if we do it not just once or twice or for a couple of weeks or a couple of years, but we just make that a cultural change going forward, we will get us back on the right track. That is our challenge.

It is not just Democrats, it is not just Republicans, it is not just the Congress, we are in this with the President. We are all in this together.

In closing, that is a good thing for us to remember. We are all in this together. We do not have all of the smart ideas on this side, neither do the Republicans. It has to be a combination of spending and revenue. If we are smart about it, we will come out of this at the end of the day just fine.

I yield the floor to my friend from Florida.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Madam President, I know that the Senator from Massachusetts has time. I just want to take this time while he is coming into the Chamber to say that you can almost hear in the background very foreboding music as we are counting down the days. Here we are in a situation in which we cannot get a certain group of people over in the House of Representatives to be willing to sit down, and, as the Good Book says, to come and let us reason together.

If we are going to govern this country, we have to come and reason together, people of goodwill who will respect each other's point of view, to hammer out a final agreement in order to start bringing this country into balance. It is sad that it is taking this long and this much of a difficult torturous process.

FLORIDA'S HISTORY

On a much happier note, at a subsequent time I want to share with the Senate the wonderful heritage that we have in this country, not from the English but from the Spanish. We are about to celebrate 500 years of the discovery of what is now America, the United States, from the Spanish explorer Ponce de Leon who first came to the shores of my State. Then soon thereafter we will celebrate the 450th anniversary of the oldest continuous settlement, a settlement that is 42 years before the English came and settled Jamestown.

Those celebrations are going to be not just for Florida and not just for St. Augustine but for all of Florida and all of the country. We have a commission that has been appointed by the Secretary of the Interior. We have just kicked off that commission. I will be sharing with the Senate a lot about this historical restoration in the public's mind of all of those Spanish explorers who helped establish this country, first with Ponce de Leon in 1513, and he came back in 1539.

By the way, the Puerto Rican community is quite energized and excited about this because Ponce de Leon, when he came and found at the Feast of Flowers, Pascua Florida—and thus he named La Florida—he was the Governor of Puerto Rico.

So they are quite excited, as they should be, and they will be part of this celebration.

After him came a Spanish explorer named de Ayllon, who sailed up the coast.

Later, in 1527, came Spanish explorer Narvaez, who landed somewhere in the Tampa region and went up into the panhandle of Florida.

After him came the Spanish explorer Hernando de Soto in the late 1530s. He ended up landing also in the Tampa Bay region when, all over Florida, they celebrated the first Christmas because he had Spanish priests with him and was in what is today Tallahassee by Christmas Day. They celebrated the first Christian Christmas by Europeans in this new world of what is now the United States. That was the late 1530s. Then he ended up traveling all over the United States, what is now the Southeastern United States.

Then along came de Luna thinking he would have the first permanent settlement in 1559 in Pensacola, and in 1561, along came a hurricane, and it wiped them out. We had the King and Queen of Spain in Pensacola on that anniversary back in 2009.

Then later came the French thinking they were going to set up the first permanent settlement at Fort Carline at the mouth of what is today the St. John's River at Jacksonville in 1564. But when they heard that the Spanish explorer Menendez had come 30 miles to the south to set up this permanent settlement at St. Augustine, they sailed to wipe out the Spanish colony and instead got hit by a hurricane and were shipwrecked and thus dispatched by the Spanish explorer Menendez. From there, St. Augustine continued all the way to the present day. You ought to see that restored city. It is a sight to behold, and it is not only the history of St. Augustine, the history of Florida, it is the history of this United States.

I will share a lot more about our Spanish history, our roots in this country. I thank the Senator from Massachusetts for his kind indulgence so that I might share this with the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Madam President, I congratulate the Senator from Florida. I am delighted to accommodate him and join with all Floridians in a good celebration of a great part of our history.

Madam President, obviously everybody in America is well aware that the date of August 2 is fast coming at us. They are also, unfortunately, well aware that the Senate and the Congress appear to be stuck yet again at this moment—in fact, here in the Senate we are debating a constitutional amendment to balance the budget instead of balancing the budget. I have heard a lot of sidesteps around here, but this is what they call a message amendment. It is sending a pretty mixed message to America.

What we, in effect, ought to be doing is not trying to pass a piece of paper

that tells us to do what we know we ought to do, we ought to be doing it. What we ought to be doing is stopping our country from defaulting on debt that has already been obligated.

What people are refusing to do in the House on the other side of the aisle is to live up to our obligations. This is not suggesting that we are giving permission to borrow more money to spend money on something responsible in the future; this is paying the debts of our country—money already spent, already obligated.

Here we have the so-called Cut, Cap, and Balance Act that passed the House of Representatives. Everybody understands it is nothing more than an ideological message exercise. Everybody knows it is not going to pass the Senate. We know even more that if it does pass, it is not going to be signed by the President of the United States. What it is doing is taking up time that we ought to be spending with a real solution on the floor of the Senate that addresses the needs and concerns of the American people. We ought to be reaching that compromise. What this does, unfortunately, in terms of message is it sends a message to the American people that this place may not quite get it still and that a lot of folks here are more prepared to play politics than to really engage in the real business of our Nation.

If you look at the specifics of this legislation, which is not going to pass, it is divided into three parts. Each one of them is equally problematic.

The cut part of the bill would require immediate cuts that would cut almost 1 percent of our GDP, which economists tell us would result in the immediate loss of 700,000 jobs. So they are coming to the floor with a program to actually cut 700,000 jobs at a time when most Americans believe job creation is the single most important thing we can do in the country, as well as avoid defaulting on our debt.

The cap part locks into place the unrealistic spending levels the House passed in their budget, while at the same time preserving hundreds of billions of dollars in tax cuts for the wealthiest Americans and tax loopholes for the biggest corporations.

I think every American scratches their head and says: What? They are going to put in these unrealistic caps that would strip away research and development, education funding, the ability of kids to go to college—all of the things on which we build the future job base of our country. They are going to strip that away, but preserve the tax cuts for the wealthiest people in the country, who, incidentally, may be investing the benefits of those tax cuts in China or in India or job creation in many places other than here.

The balance part of this amendment requires the passage of a balanced budget constitutional amendment that would require a supermajority to raise any new revenue or close any wasteful tax loopholes. In other words, you don't have to have a supermajority to decide where and what you are going to wind up spending, but you have to have a supermajority in order to raise any revenue or close an egregious tax loophole—one that may have no economic purpose, may be completely outdated, or may be a sweetheart deal that got into the Tax Code over the course of the years, but you still have to get a supermajority to get rid of that.

Everybody here knows how hard it is to get 60 votes. A lot of the business in the Senate has been caught up by the eternal filibuster. Every single nomination, every single small piece of legislation that comes to the floor of the Senate—everything requires a motion to proceed, which requires 60 votes, which is effectively a filibuster each time. We have had a record number of filibusters in the Senate over the last three years compared to any other time in the entire history of the United States of America, so requiring that two-thirds supermajority would lock in gridlock, it would lock in bad policies for the future.

The constitutional amendment that is proposed would make all revenue-raising measures unconstitutional unless they secured a two-thirds supermajority in both the House and the Senate.

Again, I repeat, we do not need a piece of paper, a new one—we do not need an amendment to the Constitution, a group of words—to tell us to do our duty. Every single Member of the Senate raised their right hand and took an oath of office over there beside the Presiding Officer and said they promised to uphold the Constitution of the United States. All we need is the courage and the conviction to make compromises and do the business of the Senate. It is not going to get any easier just because you pass some words that tell you to do it.

We did this in the 1990s. What I am talking about is not pie-in-the-sky, it is not some theory; we balanced the budget in the 1990s. We did it without a constitutional amendment. We had people of good common sense who came together and voted on compromises, and we not only balanced the budget, we created a $5.6 trillion surplus for America, and at the same time we created 23 million new jobs for Americans. Guess what. While we balanced the budget in a sensible way, without artificial caps and artificial, Draconian instructions but with common sense, while we did that, every single quintile of American income earners rose in their income. Every single American quintile saw their incomes go up. America got richer than at any time in America's history even as we balanced the budget without a balanced budget amendment.

So I will tell you, if we go down the road our friends on the other side of the aisle are proposing, we will see major reductions in Medicare, and much worse than what the Ryan budget proposed, and Social Security beneficiaries would receive a $3,000 reduction in average recipient benefits within 10 years and be forced to see deeper cuts down the road. I think it is safe to say, without exaggeration, that it would put an end to Social Security and Medicare as we know them today.

This week, Eric Maskin, Robert Solow, and Alan Blinder—each a Nobel laureate in economics—and other renowned economists sent an open letter to President Obama and Congress in strong opposition to a constitutional balanced budget amendment. These economists stated that a balanced budget requirement to the Constitution would be a ''very unsound policy'' that would adversely affect the economy.

They believe that adding arbitrary caps on Federal expenditures would make the balanced budget amendment even more problematic.

A balanced budget amendment would mandate perverse actions in the face of recessions. By requiring large budget cuts when the economy is weakest, the amendment would actually aggravate recessions.

Madam President, in the 27 years I have been privileged to serve here, we have already debated this several times. We have voted on it. As I have said in the past, the most compelling argument against this amendment doesn't come from me or from anybody on the floor; it actually comes from the real experts, the people who framed the Constitution of the United States. If they were here on the floor of the Senate today, they would vote against this amendment because it violates the Constitution's most basic tenet majority rule. The notion that the most fundamental document of law can be set aside for a time is ludicrous and anathema to the very reasons for having a governing document at all.

Worst of all, this bill from the House Republicans, holds hostage the increase in the debt limit needed by August 2 and it holds it hostage until a constitutional amendment to balance the budget is sent to the states. We all know that is not going to happen. August 2 is looming. We have to put aside this type of partisanship. We need to sit together and develop a bipartisan plan that works for America with no preconditions and not hide behind a constitutional amendment that makes choices for us.

We can no longer afford to delay. We are facing a default that would jeopardize Social Security payments, Medicare benefits, and troops' pay, as well as send interest rates soaring in a way that would force Americans to pay more for their mortgages, student loans, and small business loans. And the whole world is watching to see if we make the right choices because the consequences would be cataclysmic.

Madam President, let's get real. President Obama offered to cut the debt by $4 trillion—exactly what we know we need in savings and nearly twice as much as the Republicans had

proposed—and Republicans turned it down. President Obama has gone the extra mile. He has put everything on the table, even things Democrats strongly oppose. But the House Republicans simply will not budge because for them, this isn't about the deficit; it is about ideology, an extreme ideology.

But it needs to be about priorities. And leadership. President Kennedy said ''sometimes party asks too much.'' Well, if the cost of ideology is economic ruin, the House Republicans really are asking too much—much too much. Americans deserve better. They need the Senate not to be a slightly slower version of the House; no, they need the Senate to be the deliberative body of serious people the Framers expected us to be.

Madam President, I yield to the majority leader.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The majority leader.

Mr. REID. Madam President, I appreciate my friend's courtesy.

I want everyone who has any interest in this piece of legislation on the floor today to know that now is the time to come and debate to their heart's content. If they want to debate it late tonight, we are here to do it late tonight. If they want to debate it tomorrow for a period of time, they can do that.

I think this piece of legislation is about as weak and senseless as anything that has ever come to the Senate floor, and I am not going to waste the Senate's time day after day on this piece of legislation, which I think is anathema to what our country is all about. So I want everyone to understand we are going to have a vote tomorrow. I am not going to wait until Saturday. We are going to vote tomorrow, and I feel confident this legislation will be disposed of one way or the other.

The American people should understand this is a bad piece of legislation—perhaps the worst piece of legislation in the history of this country.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Madam President, I hope we will move quickly to the real business, which is avoiding default. Let me say, I think there is one effort we ought to be engaged in, and that is the serious effort of passing the McConnell-Reid, Reid-McConnell initiative, or whatever you want to call it. Their initiative is not kicking anything down the road. Their initiative requires, just like the base closing commission, for the Senate to deal with the big deal in a very short period of time. If colleagues want to speed that period of time up, I wouldn't object. I think that would make sense.

What we need to do is to recognize that in the next few days we do not have the time to put the kind of common sense to the task that will allow us to get the budget figures from the CBO, that will allow us to know with certainty what we are doing with Medicare, Medicaid, Social Security, or all of these other important initiatives are being done in the most deliberative and thoughtful way possible. That is what this institution is supposed to be about. That is what makes the Senate the world's most deliberative body, but it hasn't been particularly deliberative on this subject in the past months.

We have the opportunity, with the Reid-McConnell initiative to be able to put in place a process that will guarantee we have up-or-down votes on these critical issues after all the relevant committees have had the opportunity to weigh in, using perhaps the budget commission's report, together with what the so-called Gang of 6—which I don't think is a particularly appropriate name—has proposed, which I think is a very constructive and important contribution to the debate. It helps us have a starting point for this discussion, as Congress, in the next short period of time, actually fashions the kind of budget decision that benefits America and does credit to this institution as a truly deliberative body.

That is what I hope we do, and I look forward to working with my colleagues in an effort to make that happen.

Madam President, I yield the floor.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent to speak as in morning business for, hopefully, no more than 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAA REAUTHORIZATION EXTENSION

Mr. ROCKEFELLER. Madam President, yesterday, at the direction of the leadership, the House passed an FAA extension. Unlike the 20 previous FAA extensions, their extension included changes to FAA policy that had not been agreed to by both the House and the Senate—both Chambers. What is the effect? The effect is that move will begin to shut down the Federal Aviation Administration, beginning tomorrow at midnight, if we do not reach agreement on a sensible path forward to pass a clean FAA extension bill.

The consequences of an FAA shutdown will be severe. This is not about me or the content of the extraneous provisions in the House bill. This is about being responsible and doing the necessary work to ensure our aviation system continues to function at its highest level while Congress completes its business.

Over the past 4 years—which is how long we have been negotiating this bill—we have been able to work together to do the right thing each time the FAA authorities were about to expire. Congress has consistently acted to pass extensions to make certain the Nation's air transportation system continues to operate safely. Therefore, we have passed 20 extensions over 4 years waiting to do the work we need to do for an enormous Federal agency. In only one case were policy changes made during the consideration of an FAA extension, and that was last year. Airline safety measures were included because both the House and the Senate negotiators agreed to them, and the extension passed unanimously in both Chambers. You don't pass an extension which has policy riders on it unless they have been agreed to by both Chambers.

It is very unfortunate the House is taking a rash approach to pass a bill when we have made so much progress negotiating a complete FAA reauthorization package. From the time the House passed the FAA reauthorization, we have had more than 3 months of productive negotiations, where staff engaged in more than 30 meetings and spent hundreds of hours developing this legislation.

Over this period, we have worked the entire number of items to be resolved from 281 separate issues to approximately 10 separate provisions of consequence. House and Senate negotiators have compiled more than 300 pages of text for a bill. All of the components of the legislation represent needed aviation policy changes that will improve the country's airspace system.

I remind you that our country, unlike virtually any other in the modern world, basically uses radar as a way to approach landing or takeoff. It is embarrassing. It is ridiculous.

I have been able to negotiate with the two other committees in the House—the Science Committee and the Homeland Security Committee—to develop workable agreements on all of our policy differences. The main items that need to be made final are difficult, yes, partisan provisions that fall within the jurisdiction of the House Transportation and Infrastructure Committee—T&I, as they say—and its chairman, JOHN MICA.

The House bill was developed in a partisan manner. It had a number of problematic provisions added during floor consideration. Central to these was the decision to include language that would reverse a National Mediation Board decision from the previous year. The National Mediation Board—the NMB—provision was so tainted that it passed by just seven votes in the House, which is overwhelmingly Republican. It passed by just seven votes. Consideration of the final FAA package passed in the House by a party-line vote of 223–196. Ultimately, the House FAA reauthorization bill garnered the narrowest vote margin for a House FAA reauthorization bill in almost 30 years. I am talking about the House of Representatives.

As the House well knows, the White House has threatened on numerous occasions to veto any FAA package that includes the House's National Mediation Board language. The House's addition of policy riders to the extension that are being considered as part of the FAA reauthorization discussions represent an abandonment, in my judgment, of the good-faith negotiations we have been engaged in for the last 3 months.

The House acted without consulting the Senate on this FAA extension,

without engaging the Senate on putting policy riders into their extension. From their actions and public statements, it is clear this effort is designed to force the hand of the Congress on the National Mediation Board provision that President Obama has singled out as a reason to veto the legislation. That is the legislation which basically says if you have a vote for a union, or for whatever, and if you are not present and don't vote, your vote is automatically counted as no. This is a whole new concept of democracy in America, one which is very strange and very wrong.

The House claims that negotiations on the FAA bill have been stalled over the NMB issue, but they have simply not done their work. It has been over 100 days since the House passed the FAA bill and they have never even appointed conferees. We have done that; they have not. The Senate is ready to break this deadlock, but we have not been able to engage in a formal process because there are no House conferees. The Senate includes all of its conferees in negotiations and works through each provision to reach bipartisan agreement. And as I indicated earlier, we have gone from 281 down to 10 issues. The House only had Chairman MICA, and now the House leadership, calling the shots on each negotiated item. It makes it very awkward to negotiate anything at all.

If the House wants to move forward, it is time they appointed conferees and we will be able to determine where things stand on what remains in the FAA reauthorization bill. But the Senate cannot accept the House sending over items that remain to be negotiated in a piecemeal fashion as part of this FAA extension, which is what they have done; or for that matter, any future extensions. And it may come to that.

The American people expect Congress to work together to reach agreement. That is what I have been in the Senate for, to reach agreement, and not to have 20 extensions over 4 years. What an embarrassment, chopping the FAA continuity up into tiny little chunks so they can't even let out contracts or proceed with their work. The American people expect Congress to reach agreement, and I believe we can do this, but it is going to take some more time.

If the House continues its attempt to hold the Senate hostage on the FAA extension, it will result in a partial shutdown of the Federal Aviation Administration, and people need to consider that very seriously. A majority of the Senate is more than willing to pass a clean FAA extension of any length. This week, I introduced S. 1387, with Senator KAY BAILEY HUTCHISON and Senator MAX BAUCUS, to do just that. Our bill would give the FAA the necessary funding and authority to keep the agency functioning into September—I think September 16.

I have also indicated to the House on at least four occasions that I am willing to drop all of the remaining controversial items that are not included in both bills in order to get us close to a deal. That offer—seemingly reasonable—has been consistently rejected by the House.

Despite the House's lack of appointing conferees on the FAA bill, and willingness to threaten the agency with problematic extensions, I do remain committed to completing this process in a proper and responsible way.

Again, after spending 4 years trying to complete this bill, nobody wants a resolution more than I do. It is not a way to run a train, much less an airline.

I believe we can finish a comprehensive FAA reauthorization by August if the House will come back to the negotiating table in good faith. I am willing to sit down at the table anytime to move the larger FAA package forward or to develop an FAA extension that can pass the Congress. We will try to move a clean FAA extension through the Senate. Having said that, I ask that the other Members do support this effort when that happens, which will be shortly, and allow us to complete the FAA reauthorization bill.

I will say a word on the consequences of an FAA shutdown. An expiration of the FAA will shut down any activities funded out of FAA's four capital accounts, which I will not name. This includes a program to halt the airport improvement program, which provides $3.5 billion for infrastructure projects at airports annually and is estimated to support more than 150,000 jobs a year now. Nonessential employees will be furloughed, and approximately 4,000 FAA employees will be among them.

If the FAA authorities do expire, the agency estimates it could only operate air traffic support services through about mid-August 2011. This would mean services to smaller areas such as mine, West Virginia, would need to draw down in the near term so that the FAA can focus on primary traffic. That is not something we would look forward to.

A shutdown quickly starts to have safety implications too and safety projects at airports. It also places a hold on testing and implementation of NexGen efforts, Next Generation efforts. That is the modern GPS-based system which is clear, precise, and reads where airplanes are and how fast they can land one after the other with great precision. Fewer personnel will be available to dispatch to problem areas. So these are real concerns.

Madam President, I hope my colleagues will hear what I have said. I hope my colleagues in the other body will hear what I have said. I want to proceed in good faith. I have tried. It has not worked. The American people are suffering as a result of it, particularly the aviation industry and the Federal Aviation Administration. I would hope my speech will be listened to.

I thank the Presiding Officer and I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. While the distinguished chairman of the Commerce Committee and my dear friend from West Virginia is on the floor, I wanted to illuminate a little bit of the difficulty on the FAA reauthorization.

I share concern with the chairman, as he knows, because we talked in the well last night about our desire for a reauthorization of FAA and how important it is to our economy. But the difficulty between the House and the Senate, in part, has been over the House version as it treated the National Mediation Board versus the Senate's unwillingness to consider any change in current status with the NMB.

I have been the negotiator or the runner, or whatever you want to call it, between the two bodies, Mr. MICA and Mr. ROCKEFELLER. As the chairman knows, about 1 month ago I delivered Leader REID a comprehensive list of requests the House had asked for in the reauthorization. Senator REID and his staff, after pondering it for a few days, responded that they would not agree to any of the changes that were requested.

I then went back and said, well, let me see what I can do to try to find some common ground, and came back with a recommendation I gave to Chairman ROCKEFELLER that said give judicial review to the airlines, which the unions already have under the National Labor Relations Act, to have a balanced treatment in terms of a response in terms of NMB regulation. As it turns out, that was an unsatisfactory offer.

The House I think still insists that some provision addressing the National Mediation Board should be included in the authorization, and that—and if I am incorrect in any way, please, Mr. Chairman, correct me—I think that is the primary difficulty in getting to a final conclusion.

From my standpoint, I want everybody to understand clearly, I agree with the chairman that we need a reauthorization. But I also think we need a balanced playing field with NMB, and I continue to work to try and find some common ground to see to it that the aviation industry can have judicial review, just as the unions already have, with regard to NMB regulations and NMB rulings.

I wanted that to be documented in the RECORD. I thank the chairman for letting me have a little time.

I yield the floor.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Madam President, it has been reported that the White House has made an internal decision not to send Congress three long-pending free trade agreements before the August recess. I wish to be able to reiterate that I, for one, remain as committed as ever to passing these job-creating agreements into law as quickly as possible, given the condition of our economy.

As I see it, every sticking point seems to have been resolved. The White House initially said it needed a deal on trade adjustment assistance on the substance. I think they have gotten that. Then they said they needed an agreement on the process. I believe we have achieved that.

I, myself, am personally committed to working with the majority leader to ensure a fair floor process for my Members so they have an opportunity to try to amend a stand-alone trade adjustment assistance bill separate from the three free-trade agreements. That way, if the administration can generate the votes it needs, TAA will pass on its merits.

I think we have a pretty clear path in front of us at this point. I recognize that the calendar is tight, that we have got a lot of other urgent business to take care of around here, so I don't expect to finish any of this before August. Still, I think the administration should submit the agreements anyway as a show of good faith with our trading allies in Korea, Colombia, and Panama. Then we can work to pass them when we return. The administration has received everything it has publicly asked for on TAA. It is time to show they are serious about creating jobs and getting those deals done.

This is an opportunity to create jobs in America for Americans. It was snarled needlessly by the suggestion that TAA be dropped inside these agreements. That now has been cleared up. We are going to have an opportunity to ratify all three of these trade agreements, which will be good for the country, and the TAA issue will be dealt with separately, and all indications are that the votes are there to pass the TAA bill.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, I come to the Senate floor to tell my colleagues why I support the issue of cap, cut, and balance.

On August 2, our Nation will be unable to borrow money to meet our current obligations. We have known for a while this was coming. Our annual deficits have been near $1.5 trillion for the past 2 years and are going to be that large this year as well.

With deficits of that size, no one should be surprised that we have hit the debt ceiling, which raises the question then: What has the President offered to confront this looming crisis?

I ask that question because people expect a President to lead, and we have had an executive budget and an executive budget law since I think the 1920s putting the President in the lead on these issues.

So I ask another question: What has the Senate Democratic majority done to address our deficit crisis? Because it is the responsibility of the majority to present a budget to the Congress of the United States, and we have not had a budget resolution for more than 800 days now. So I think you can draw the conclusion, whether it is the President of the United States or the Senate majority, the answer is simple: Not much has been done.

Last year, President Obama virtually ignored his own deficit reduction commission. Remember, in February 2010 the President appointed a lot of people to a deficit reduction commission to give us a plan of what could be done about this fiscal situation that has happened so dramatically in the last 2 years, and there was no recognition in December when they reported that the President said that is the thing that should be done in this country.

This year, he did offer a budget, as he has to do under the budget law, February 14 of this year. That budget would increase spending, increase taxes, and still add trillions to our debt.

Everybody would think that a Democratic President suggesting a budget would be well-received in a body that is controlled by the same political party. But that budget he presented in February was so ill-conceived and out of touch that it was defeated here in the Senate by a vote of 97–0.

Let me emphasize that by saying not a single Senator of either party voted for President Obama's budget. Of course, it is very obvious that every member of the President's party said no to the President's budget.

For most of this year, President Obama said we should raise the debt ceiling without taking any measures to address our long-term deficits and debt. It was the position of this administration that Congress should simply rubberstamp another debt ceiling hike with no plan in place to reduce our deficits.

That plan was voted on in the House and was soundly rejected there as well. All of the Republicans and nearly half of the Democrats in the other body voted against increasing the debt ceiling without deficit reduction.

So it seems to me we have a lot of bipartisan agreement, when people say we have no bipartisan cooperation, that with the Senate's vote on the President's budget and in the other body with nearly half of the Democrats opposing a debt ceiling without deficit reduction, that there is a clear understanding in a bipartisan way in the Senate that the President's budget spends too much, taxes too much, and leaves too much debt. In the House of Representatives, there is a strong feeling that is bipartisan that if you are going to have a debt ceiling increase, there needs to be deficit reduction. So don't ever say there is not bipartisan agreement, because it has been expressed in votes in both Houses.

The President then gave a budget speech in April, and I presume he recognized the inadequacy of his budget presented to Congress in February. He outlined a budget framework that would reduce that budget that was presented in February by $4 trillion over 12 years. So the President very quickly in about 60 days came to the conclusion that his budget was out of step with what people of even his own political party felt was necessary so he could find $4 trillion to trim out of it.

But do you know what he hasn't done yet that a President ought to do in an environment where we have an executive budget process? He still hasn't presented the details of that budget.

The Director of the Congressional Budget Office, Dr. Elmendorf—as we all know, a person who is a devoted public servant, doing what is intellectually right all the time when he tries to help us decide how much money taxes are going to bring in or how much is going to be spent on a particular policy of Congress—was asked if he could estimate the budget impact of this new framework that came with the President's speech on April 13, in which he came to the conclusion you ought to spend $4 trillion less than what he thought he could spend on Valentine's Day. That is not necessarily a Valentine's gift in his February budget.

This is what the CBO Director said in regard to that April 13 speech. He said:

> We don't estimate speeches. We need much more specificity than was provided in that speech for us to do our analysis.

But, so far, the President has not provided those specifics. We have heard a lot from the White House about the need to come up with a plan, when the President has not presented a plan. The White House itself has never offered a single debt ceiling proposal for voters, and the Senate Democratic leadership has also seriously shirked its responsibilities because, as I said once before today, they have not put forward a budget in more than 800 days, even though the law requires that they do it.

Every family in America who works hard and sacrifices to pay their bills ought to be ashamed of the failure of the Senate to offer a budget, in violation of the law. In sharp contrast, Members of the House fulfilled their responsibility and passed a budget earlier this year. So the very same majority party in this body that has not presented a budget for 800 days has done nothing in regard to the House budget but demagog.

While they can't find time to compile their own budget, they sure found time to make speeches that are derogatory about the House budget. The House budget, then, obviously means the House of Representatives did their responsibility under the law by presenting a budget and adopting a budget.

While Members on the other side come to the floor to oppose and demagog the bill I am speaking about—the cut, cap, and balance bill—they have offered no plan of their own. While there is now a framework from the so-called Gang of 6, their plan also lacks any specificity. Perhaps that is the political strategy the other side has chosen. Voters and the American people

cannot be upset with the position you have taken if you have not taken a position. It is like a rule for political leaders: You never get in trouble for a speech you do not give. Perhaps this strategy may be politically expedient, but it is going to drive our economy and our country off the cliff.

The strategy of placing a higher priority on the next election rather than the economic and fiscal situation facing our country is how we got into this mess. Based on the lack of proposals put forth by the other side, one could assume they are perfectly content borrowing 40 cents for every dollar we spend. Are they pleased with the deficits of $1.5 trillion annually? We could conclude they must be because they have not offered a plan to reduce the deficits.

On top of that, they have argued for tax increases. They must believe we have a revenue problem. According to their argument, the American people are not handing over enough of their money to satisfy the needs of Washington to spend. I am not sure we can ever tax high enough to satisfy the attitude in Congress to spend. In fact, if somebody would tell me how much money they really need from the American people to satisfy their appetite to spend, and I could get a limit on it and it were a hard limit, I might even vote for it because I would like to have people say they are finally satisfied, that government ought to be so big but no bigger. But I never get those sort of broad statements in the Congress. So I have come to the conclusion that we cannot raise taxes high enough to satisfy the appetite to spend.

But because we are borrowing money, the economy is not growing, and jobs are not being created because Washington is spending too much. Of course, the other side believes the economy is not growing because we are not spending enough from Congress.

Remember, just a few years ago they passed the $800 billion so-called stimulus as a means to keep unemployment below 8 percent. That was early February 2009. That is when Speaker PELOSI said: Yes, we wrote the bill. We won the election.

So employment shot above 8 percent right away. It got up over 10 percent. It is at 9.3 percent. So the promise of a $830 billion stimulus keeping unemployment under 8 percent just did not work. What did they do under those circumstances? They borrowed money and spent it on government programs.

Where is the U.S. economy today? I will say it again: 9.2 percent unemployment, more than 14 million Americans out of work, and now the national debt is more than $14.3 trillion. This experiment called the stimulus proved that government spending does not stimulate private sector job growth. Do you know why? Government consumes wealth; government does not create wealth. The only jobs created by government are government jobs. They don't add value to the economy; they are a cost to the economy.

Do we have to have government? Yes. Do we have to have government employees? Of course we have to have government employees. But to think we can hire more government employees and create wealth is false. The fact is, we are the hole we are in because of our spending problems, not because we do not have enough revenue coming in.

Look at this historically. Spending has averaged about 20 percent of our gross national product. That is probably over four or five decades. Today and in recent years spending has grown to 25 percent of the gross national product. This level of spending cannot be sustained, particularly when revenue has historically been around 18 percent of GDP. This very day it is less than 18 percent because the economy is not growing, but a 50-year average is 18 percent of GDP.

For my colleagues who think we can reduce deficits by increasing taxes, they need to understand it just does not work. Professor Vedder of Ohio University has studied tax increases and spending for more than two decades. In the late 1980s he coauthored, with Lowell Galloway also of Ohio University, a research paper for a committee of Congress called the Joint Economic Committee that found that every new dollar of new taxes led to more than $1 of new spending by the Congress.

In other words, raise taxes $1 and you think we would go to the bottom line and reduce the deficit? But, no, $1 coming in, we spend more than $1, so we make the deficit worse. Professor Vedder has now updated his study. Specifically he found:

> Over the entire post World War II era through 2009, each dollar of new tax revenue was associated with $1.17 of new spending.

History proves tax increases result in spending increases. We know increasing taxes is not, then, going to reduce the deficit. Instead of going to the bottom line, tax increases are a license for Washington to spend even more.

History also shows that tax increases do not increase revenue. Everybody thinks if we raise the marginal tax rates we will bring in more revenue. But the taxpayers, workers, and investors of this country are smarter than Members of Congress are who believe that.

Regardless of the rate, over the past 40 years—I am sorry, I don't have a chart with me. I had a chart with me a week ago that demonstrated this. But if you listen closely, you will get the message of the chart.

Regardless of the rate of taxation, over the past 40 years revenue has averaged, as I said before, about 18 percent of gross domestic product. Higher tax rates just provide incentives for taxpayers to invest and earn money in ways that reduce their tax liability. We cannot tax our way out of this problem. We have a spending problem, not a revenue problem. That is why I am supporting the only plan that has been put forth to address our deficit and debt problem: the cut, cap, and balance plan passed by the House with the bipartisan support of 234 Members.

This plan is the only plan offered to cut spending in the near term. We need to halt and reverse the trend of the last 2 years when government spending increased by 22 percent, not even counting the failed stimulus program of another $830 billion. We cannot increase expenditures 22 percent when the growth of the economy is about 2 percent. It just does not add up. That is how we get into trouble, and that is how we have increased a 50-year average of the national debt from about 35 percent of gross national product to—after 2 years, it is now 65 percent, and it is on a path to go over 90 percent.

We know where Greece is right now when they are over 100 percent. It is going to lead to failure. We are on that path right now, and we have to preempt that.

This bill before us also will impose budget caps to get our spending down to a manageable level compared to our gross domestic product.

Finally, it would impose a balanced budget amendment to our Constitution, similar to what—I don't know whether it is 46 States or 49 States—but most States have a constitutional amendment requiring a balanced budget. You know what. It works.

We have to stop to think, if a State that is as liberal as New York, if they can elect a liberal Democratic Governor, and if he can cut, cut, cut, to live within that constitutional requirement of a balanced budget, it ought to be something we can do in Washington DC. It is a discipline that works in the States. It is a discipline that we need through our Constitution so when we take an oath to uphold the Constitution, the requirement of a balanced budget is something we swear to, and we will deliver on our promise to the American people. It only makes sense to impose a requirement that we live within our means. Washington proves again and again that it needs this kind of discipline.

I say to my colleagues: If you do not support this plan, then offer your own plan. You know the debt limit must be increased, but you also know we must take action to reduce the future levels of deficits and begin to bring our debt down. Where is your plan to do that? Where is your budget resolution that has not been presented in the last 800 or more days to the Senate, violating the budget law? How will you meet the responsibilities, then, of being elected to this office where you take an oath to uphold the laws and the Constitution of the United States?

The trajectory of our debt is alarming. It will soon undermine our economy and our economic growth. If we do nothing, our children and grandchildren will have fewer economic opportunities than we have had. So this is not just an economic issue, this is not just a fiscal issue, this is a moral issue of whether this generation, my

generation and people who are even younger than me but spending a lot of money, ought to live high on the hog and leave it to young people to pick up the bill.

Without a plan to put our fiscal situation on a better path, the next generations will have a lower quality of life than the one we have experienced. We cannot let that happen. We must take action to correct our course.

I urge my colleagues to support the cut, cap, and balance plan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Madam President, I ask unanimous consent that the time from 5 p.m. to 8 p.m. on the motion to proceed to H.R. 2560 be equally divided between the majority leader and the Republican leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Madam President, I rise today in opposition to the Cut, Cap, and Balance Act of 2011. Rather than taking a balanced approach that requires shared sacrifice, House Republicans have passed legislation that would gut essential services for average Americans while asking nothing of the wealthy and privileged. Such a misguided approach would cost countless American jobs while doing nothing to solve America's long-term deficit challenges.

In my opinion, the Cut, Cap, and Balance Act fails to measure up as a serious proposal to address the structural deficit that our Nation faces. It is misguided, and assumes that our Nation will pay no price if we fail to invest in our future. These are some of the assumptions of this bill. Highways will not buckle, pipes will not rust, bridges will not collapse, and there is no need to invest in the next generation of innovators to keep America's competitive advantage. This bill would gut the very funding we need to revitalize our economy and invest in the future.

Cut, cap and balance would render Congress essentially powerless to address revenues, thereby pushing America further down the road of economic inequality by ensuring that the wealthy do not have to share in any sacrifice. And whatever might be said about this legislation, to call it balanced is a cruel irony. In fact, all of the sacrifice is demanded of the poor and working families. This legislation forces Congress to slash programs that average Americans rely on for education, housing assistance, food safety, safer air traffic control, and clean air and water.

We have an aging population, which means that increasing costs for Social Security and Medicare are a reality that must be dealt with. The Baby Boomers are retiring, which increases the need for Social Security and Medicare. And while those programs are not subject to sequester, how will we meet the higher costs and at the same time bring down overall spending to 18 percent of GDP, a level that has not been achieved since the 1960s? My colleagues should not kid themselves: mandating a balanced budget by 2020 while taking revenues off the table will require draconian cuts to Social Security and Medicare.

As the chairman of the Appropriations Committee, I take particular note of the impact cut, cap, and balance would have on nondefense discretionary spending. A 10-year freeze on domestic spending that does not adjust for inflation would have a devastating impact on the ability of all nondefense departments and agencies to carry out their missions. My colleagues should know that over 10 years, such a cap would amount to a 33-percent cut in real dollars. Such a level of cuts would make it impossible for the United States to compete on a global stage. Our infrastructure, our education system, our technology, everything we need to remain a great nation will be drastically underfunded, or simply not funded at all.

I hope we all understand that we are not talking about nice to have things, we are talking about investments that are necessary to maintain the quality of life for the middle class. Education is not optional. Roads and sewers, clean air and clean water are not options. Meeting the basic nutritional needs of our poorest children should not be optional. This great Nation was built on such investments, made in the best interests of the American people—all the people, not just the wealthiest one-tenth of 1 percent.

I would like to take a brief moment to provide a few specifics about the impact of this act. While it is not possible to predict specific impacts 10 years down the road, it is certainly possible to give examples of what the American people would experience in the near term, as a result of this deeply flawed bill.

In fiscal year 2012, Head Start funding would decrease by more than $900 million, eliminating comprehensive early childhood services for over 130,000 low-income children and their families and resulting in the termination of 30,000 teachers, teacher assistants and related staff.

The combined cuts to mandatory programs such as Food Stamps and School Lunch programs coupled with domestic spending reductions contained in this legislation would be a double blow to the Nation's most vulnerable populations. With these cuts, there would be 13 million fewer meals served to seniors. Let me be blunt, if this bill is enacted, children and seniors in this Nation will go hungry in far larger numbers than today.

We all recognize that reducing waste, fraud, and abuse are essential components of getting our fiscal house in order. Every billion dollars we save is a billion dollars we can use to reduce the deficit or better invest in America's future. And yet this bill would reduce funding for the Internal Revenue Service by some $1.8 billion below the President's request for fiscal year 2012, which would cripple its efforts to find fraud and eliminate waste and abuse. The IRS could be forced to furlough between 4,100 and 5,000 employees, mostly enforcement agents. Furthermore, a cut to IRS funding would increase the deficit by approximately $4 billion a year beginning in 2013, since every dollar invested in enforcement resources brings in $5 in tax revenues.

Finally, I would note that a cap on the Federal budget means that we are unable to make smart choices about our future investments. As an example, the Bureau of Prisons inmate population is expected to grow to roughly 250,000 Federal inmates by 2018, an increase of more than 31,000 prisoners, or 15 percent, over the next 8 years. A growing inmate population coupled with a spending cap for Department of Justice activities will mean further severe cuts to other important functions of the Department of Justice—Federal, State, and local public safety efforts will be cut in order to pay the required costs of housing prisoners.

Yesterday 97 Senators voted in favor of the Military Construction and Veterans Affairs appropriations bill. The Senate is perfectly capable of producing and passing fiscally responsible appropriations bills that meet the Nation's needs and that have strong, bipartisan support. The real answer to our fiscal crisis has not changed since this debate began. We must cut spending in a responsible fashion. We must reform entitlement programs to ensure that they survive for future generations. And we must reform our Tax Code to allow for sufficient revenues to meet the needs of an aging population and the challenges of a global economy.

Cut, cap, and balance does none of these things, and I urge my colleagues to reject this misguided measure.

The PRESIDING OFFICER. The majority leader.

Mr. REID. While the distinguished chairman of the Appropriations Committee was talking, I had a visit with some of the pages to ask them did they realize who was speaking. They all knew who he was. They knew he was a heroic man winning the Medal of Honor. They knew he had been elected to the Senate nine different times in addition to service in the House of Representatives. So it is great that our pages are so versed on what happens around here. We depend on them very much, and I am grateful they understand what a great man the chairman of the Appropriations Committee is.

FBI DIRECTOR EXTENSION ACT, 2011

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to consideration of Calendar No. 76, S. 1103, the bill to extend the term of the incumbent Director of the FBI; that the committee substitute amendment

be considered; that a Coburn amendment which is at the desk be agreed to; the committee substitute amendment, as amended, be agreed to; the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill, as amended; the motions to reconsider be laid upon the table with no intervening action or debate; and any statements related to the bill be printed in the RECORD at the appropriate place as if read; further, that if Robert S. Mueller, III, is nominated to be Director of the Federal Bureau of Investigation, the nomination be placed directly on the Executive Calendar; that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider the nomination; that there will be 2 hours for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The PRESIDING OFFICER (Mr. FRANKEN). Is there objection? Without no objection, it is so ordered.

The Senate proceeded to consider the bill (S. 1103) to extend the term of the incumbent Director of the Federal Bureau of Investigation, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 1103

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

SECTION 1. FINDINGS.

Congress finds that—

(1) on May 12, 2011, the President requested that Congress extend the term of Robert S. Mueller III as Director of the Federal Bureau of Investigation by 2 years, citing the critical need for continuity and stability at the Federal Bureau of Investigation in the face of ongoing threats to the United States and leadership transitions at the Federal agencies charged with protecting national security;

(2) in light of the May 1, 2011, successful operation against Osama bin Laden, the continuing threat to national security, and the approaching 10th anniversary of the attacks of September 11, 2001, the President's request for a limited, 1-time exception to the term limit of the Director of the Federal Bureau of Investigation, in these exceptional circumstances, is appropriate; and

(3) this Act is intended to provide a 1-time exception to the 10-year statutory limit on the term of the Director of the Federal Bureau of Investigation in light of the President's request and existing exceptional circumstances, and is not intended to create a precedent.

SEC. 2. EXTENSION OF THE TERM OF THE INCUMBENT DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) IN GENERAL.—At the request of the President, the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of the enactment of this Act may continue in office until August 3, 2013, in accordance with the amendment made by subsection (b).

(b) EXTENSION OF THE TERM.—Section 1101 of the Omnibus Crime Control and Safe Streets Act of 1968 (28 U.S.C. 532 note) is amended by adding at the end the following:

''(c) With respect to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, subsection (b) shall be applied—

''(1) in the first sentence, by substituting '12 years' for 'ten years'; and

''(2) in the second sentence, by substituting '12-year term' for 'ten-year term'.''.

The amendment (No. 579) was agreed to, as follows:

(Purpose: To create a new 2-year term of service for the Director of the Federal Bureau of Investigation)

On page 3, line 17, strike all through page 4, line 12, and insert the following:

SEC. 2. CREATION OF NEW TERM OF SERVICE FOR THE OFFICE OF DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

Section 1101 of the Omnibus Crime Control and Safe Streets Act of 1968 (28 U.S.C. 532 note) is amended by adding at the end the following:

''(c)(1) Effective on the date of enactment of this subsection, a new term of service for the office of Director of the Federal Bureau of Investigation shall be created, which shall begin on or after August 3, 2011, and continue until September 4, 2013. Notwithstanding the second sentence of subsection (b) of this section, the incumbent Director of the Federal Bureau of Investigation on the date of enactment of this subsection shall be eligible to be appointed to the new term of service provided for by this subsection, by and with the advice and consent of the Senate, and only for that new term of service. Nothing in this subsection shall prevent the President, by and with the advice of the Senate, from appointing an individual, other than the incumbent Director of the Federal Bureau of Investigation, to a 10-year term of service subject to the provisions of subsection (b) after the date of enactment of this subsection.

''(2) The individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection may not serve as Director after September 4, 2013.

''(3) With regard to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, the second sentence of subsection (b) shall not apply.''.

The committee amendment in the nature of a substitute, as amended, was agreed to.

Mr. LEAHY. Madam President, on Monday I, again, set forth the history of our efforts to extend the term of Robert Mueller as the FBI Director in response to the President's request. I am glad that the Senate is now being permitted to proceed to pass the bill. The holds have finally been lifted.

I worked with Senator GRASSLEY to respond to the President's May 12 request, and the Judiciary Committee reported a bill to do that more than one month ago. I am pleased that a bill finally passed the Senate today. I hope the House will take up and pass the bill so that it can be signed by the President, and the Senate can confirm Director Mueller's renomination prior to August 3, 2011.

This important legislation, S. 1103, would fulfill the President's request that Congress create a one-time exception to the statutory 10-year term of the FBI Director, in order to extend the term of the incumbent FBI Director for 2 additional years. Given the continuing threat to our Nation, especially with the 10th anniversary of the September 11, 2001, attacks approaching, and the need to provide continuity and stability on the President's national security team, it is important that we respond to the President's request and enact this necessary legislation swiftly. The incumbent FBI Director's term otherwise expires on August 3, 2011.

Mr. PAUL. Madam President, I am voting no on S. 1103, a bill to create a second 2 year term for the FBI Director. I am opposed to changing the term limits on this important position, which serve as a safeguard and check against the significant power of the position. I am not opposed to Director Mueller and will not oppose his renomination, but I do oppose the idea that term limits should be changed when it is convenient. I thank him and the Bureau for their cooperation and answers to my questions over the last few weeks.

Mr. REID. I want to extend my appreciation to Senators LEAHY and GRASSLEY for together getting this matter done.

He has done a wonderful job for 10 years, and the country believes they need him for 2 more years, and he has agreed to take that, and I appreciate that very much.

The PRESIDING OFFICER. Under the previous order the foregoing actions with respect to the bill are accomplished.

The bill (S. 1103), as amended, was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill, as amended.

The bill (S. 1103), as amended, was passed, as follows:

S. 1103

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

SECTION 1. FINDINGS.

Congress finds that—

(1) on May 12, 2011, the President requested that Congress extend the term of Robert S. Mueller III as Director of the Federal Bureau of Investigation by 2 years, citing the critical need for continuity and stability at the Federal Bureau of Investigation in the face of ongoing threats to the United States and leadership transitions at the Federal agencies charged with protecting national security;

(2) in light of the May 1, 2011, successful operation against Osama bin Laden, the continuing threat to national security, and the approaching 10th anniversary of the attacks of September 11, 2001, the President's request for a limited, 1-time exception to the term limit of the Director of the Federal Bureau of Investigation, in these exceptional circumstances, is appropriate; and

(3) this Act is intended to provide a 1-time exception to the 10-year statutory limit on the term of the Director of the Federal Bureau of Investigation in light of the President's request and existing exceptional circumstances, and is not intended to create a precedent.

SEC. 2. CREATION OF NEW TERM OF SERVICE FOR THE OFFICE OF DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

Section 1101 of the Omnibus Crime Control and Safe Streets Act of 1968 (28 U.S.C. 532 note) is amended by adding at the end the following:

''(c)(1) Effective on the date of enactment of this subsection, a new term of service for the office of Director of the Federal Bureau of Investigation shall be created, which shall begin on or after August 3, 2011, and continue until September 4, 2013. Notwithstanding the second sentence of subsection (b) of this section, the incumbent Director of the Federal Bureau of Investigation on the date of enactment of this subsection shall be eligible to be appointed to the new term of service provided for by this subsection, by and with the advice and consent of the Senate, and only for that new term of service. Nothing in this subsection shall prevent the President, by and with the advice of the Senate, from appointing an individual, other than the incumbent Director of the Federal Bureau of Investigation, to a 10-year term of service subject to the provisions of subsection (b) after the date of enactment of this subsection.

''(2) The individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection may not serve as Director after September 4, 2013.

''(3) With regard to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, the second sentence of subsection (b) shall not apply.''.

CUT, CAP, AND BALANCE ACT OF 2011—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I wish to speak on behalf of the resolution before us—the so-called cut, cap, and balance resolution—and explain briefly why it represents a better approach to resolving the financial crisis our country is faced with than the alternative, which seems to be myopically focused on raising taxes, as if our problem in this country were taxes. Our problem is spending. That is why the reference to cutting spending, capping future spending, and ensuring that we never go back to our errant ways by passing a balanced budget amendment to the Constitution, which would forever prevent us from getting into the same position we are in now where we have to keep coming back to increase the Nation's debt ceiling. That is why the emphasis on spending.

Some of our friends on the other side of the aisle, and certainly the President of the United States, say: I will not agree to anything unless you raise taxes.

Why are Republicans so opposed to the President's approach? Why are we focused on reducing spending rather than raising taxes? Why is it important? First of all, because spending is the problem, not taxes. Spending in this country, under President Obama, has gone from the historic level of about 20 percent of our gross domestic product to now 25 percent in just 3 short years. That is a historic growth in spending. We have never been this high. Under the Obama budget, as far as the eye can see, we are going to be above the historic levels—never below, I believe, 23 percent of the gross domestic product and, as far as I can see, very close to that 25 percent. Spending is the problem.

Some will say: Well, the government has collected less income taxes in the last couple of years.

That is true, but it isn't because tax rates have changed. We have had the same tax rates for the last decade. They have been constant. The only reason there is less revenue coming into the Treasury right now—the so-called tax take of the government—is because the economy is in the tank. People are unemployed. They are not working. They are not making as much money. Businesses are not making as much money, so they are not paying as much in taxes.

So what is the answer? To raise tax rates and try to squeeze more blood out of this turnip, to try to get more out of a sick economy? No. The answer, of course, is to try to get the economy well again so people are working, they make more money, businesses make money, they all pay more in taxes, and then we will be back at the historic levels of tax-take by the Federal Government, and presumably the folks who say taxes are the problem will then be satisfied.

But how do we grow the economy? How do we get it well? We know one thing for sure not to do; that is, impose taxes on an already weak economy. The President himself, last December when we reached agreement between the Congress and the President on extending all of the current tax rates, made that exact point. He said:

> To raise taxes at this time when the economy is weak would be the worst thing for economic growth and job creation.

He was right. He was right then. If anything, our economy is in worse shape now. Now we are at 9.2 percent unemployment. We continue to stagnate. If we have a sick economy, the last thing we want to do is impose more taxes on that economy.

One of our colleagues here in the Senate, our colleague from the State in which I was born, the Cornhusker State of Nebraska, BEN NELSON, said:

> Raising taxes at a time when our economy remains fragile takes us in the wrong direction. If we start with plans to raise taxes, pretty soon spending cuts will fall by the wayside.

I couldn't agree with him more.

I think there is some bipartisan consensus—though certainly I recognize many Democrats would like to raise taxes, but I think economists and most Americans appreciate that when the problem is spending, when spending has gone up so dramatically, the answer is to reduce the spending, get it back down at a minimum to where it was, and not raise taxes.

The second reason we are focused on the spending side and why we therefore support the cutting of spending, the capping of that spending, and making sure we have the constraint of a constitutional amendment to restrain us from our impulses in the future is because it never fails that tax hikes always hit more than the people at whom we are aiming. It doesn't hit just the millionaires and billionaires; it hits a lot of other people.

When the alternative minimum tax was created, the idea was to make sure that—and I could be a little wrong on the number—I think it was 125 millionaires couldn't use deductions and credits to get out of paying their taxes. We were going to create an alternative minimum tax. They would have to pay some tax even if they had lots of credits and deductions they could take. Well, 2 years ago it was going to hit 23 million Americans, and I think this year it is something like 32 million. Again, I could be a little bit wrong on the number, but let's just say between 20 million and 30 million people. So we started out with about 125, and now that tax hits well over 20 million and I think over 30 million households a year. Why wouldn't we want to do something about that? We do every year. We pass what we call a patch so that it doesn't affect those people because we never intended it to affect them in the first place. We aimed at the millionaires, and we hit over 20 million other Americans.

The same thing would happen here. How many millionaire and billionaire households are there that report income of above $1 million? The answer is 319,000. Out of the whole United States, there are 319,000. How many people would actually pay the increased tax in the upper two brackets where these people are located? Well, that number turns out to be 3.6 million people right now. What will it be in 20 years? We will probably be up to the 20 and 30 million category again.

The point is, we aim at 300,000 people, and we end up hitting 10 times that many people—3.6 million people. That is how many people there are in the top two brackets that the President's proposals would hit.

There is another unintended consequence. It doesn't just hit the millionaires and billionaires, it hits small business owners. Small businesses create two-thirds of all of the jobs coming out of an economic downturn such as we have had, out of a recession. Small businesses usually—or at least 50 percent of small business income—let's put it that way—is reported in these top two income tax brackets. We have an individual person, and he is not a corporation, so he reports his income

taxes in one of the two top income tax brackets. What happens when we raise the tax on that 50 percent of the folks, the small business folks? Are they more likely to hire or are they more likely to just sit on their hands? Obviously, the answer is they are not going to hire more people.

Earlier this week, I quoted from several small business folks who, of course, said precisely that. The experts all agree on this issue. When we raise taxes on the top two rates, we hit a lot of small businesses.

One of the taxes the President proposed raising—as a matter of fact, his own Small Business Administration did a study and reported that tax ''could ultimately force many small businesses to close.'' So we aim at the millionaire and the billionaire, and we end up hitting small businesses. By the way, since this Small Business Administration report has been in the news, I have noticed the administration is not talking about this particular tax anymore. Well, that is fine, but the reality is that the others they are talking about would also hit small businesses and force many of them to close.

Who else gets hit by this tax on millionaires and billionaires? We have some experience. Back in 1990, we thought we would impose a luxury tax on millionaires and billionaires. We were going to tax things such as yachts and jewelry and luxury items, and so on. Well, that lasted a little less than 3 years when all the people who made the yachts marched on Washington and said: Hey, you just put us out of business, and we repealed that tax. I think it was over 9,000 people who were put out of business.

It is interesting that the same proposition translates to today. What was one of the provisions in the stimulus bill? Now, the stimulus bill was opposed by all but I think two Republicans, and all the Democrats supported it. Well, it was the tax treatment for corporate jets. Republicans didn't support this special tax treatment for corporate jets, but the President did. It was in his stimulus bill because it was thought it would help to create or save jobs.

Accelerated depreciation, which is the tax treatment here, was beneficial to the people who make these airplanes—more beneficial from a tax standpoint—and it might well be that jobs were either created or saved as a result of that. But that tax provision that was so important to creating or saving jobs when the stimulus bill was passed now all of a sudden is something that is evil because presumably people who fly in business jets are people to be attacked, to be demagogued.

We have heard the President of the United States talk about this. He talks about the special tax loophole for corporate jets. Well, it is his tax loophole, and he put it in there because he thought it would create or save jobs. Now, who is it going to hurt? The business guys will still fly on their corporate jets; it is just that the jets will cost more money, but probably fewer people will be working, making those planes. Is that good policy or bad policy? I am all for having that debate. I am not going to defend the corporate jets; I will defend the people who make them. But let's have that debate in the context of tax reform, which we have all said we are for doing, so that if we decide it is good policy to eliminate that accelerated depreciation provision, we do that and then we apply the savings to reducing tax rates overall, which is exactly what the President said we should do.

In his State of the Union speech, he pointed out that America is not competitive with the rest of the world. We have the highest corporate tax rate in the world, and he said we have to get it down. What we ought to do is eliminate loopholes in the Tax Code and then, with the savings, reduce overall corporate rates, so instead of paying 35 percent, our corporations would pay maybe 20 or 25 percent, which is still above the world average of developed countries, but at least we would be more competitive.

So what is the right policy? Should we be demagoguing corporate jets or should we think through the policy? We might just be hurting regular Americans, and maybe we should think twice about the kind of political language we are using.

Even oil and gas—we have to tax the big oil companies. Everybody knows we put the tax on, and the next thing we know we are paying more tax when we fill up our car at the local service station. So we should think through whom we are really going to hit with these taxes on millionaires and billionaires and big corporations.

Even the death tax—the death tax is part of the taxes the President would like to have rates go up on, to go back to the 45-percent rate. That is almost half—45 percent—of the estates. Now, a lot of these estates are small businesses, farms, ranches, and a lot of times they have to sell all or part of the business or the farm or the ranch in order to pay the estate tax. So who are we really hurting when we do this?

I have a friend who had a small printing business in Phoenix. He was one of the largest charitable givers in our community, a fine, wonderful man. His name was Jerry Wisotsky. He created the business from nothing, moved out from New York City, and had over 200 employees when he died. He had Boys & Girls Clubs named after him. He and his family contributed as much money to charity in Phoenix as anybody I know. Well, they had to sell the business because the estate taxes were eating them up. The out-of-State company that bought the business didn't contribute to the local community. They didn't contribute to charity. Who got hurt when we imposed that estate tax, that death tax on Jerry's family?

So let's just stop and think. One reason we don't want to focus on taxes and we would rather focus on spending is because a lot of times, when we focus on millionaires and billionaires, we end up hurting a lot of other people instead.

The third reason and, frankly, the most important from an economic standpoint, of course, is the fact that tax hikes kill job creation and economic growth, and I alluded to this in the second point I made. Fifty-four percent of all of our jobs are from small businesses, and when we hurt small businesses' ability to hire people, obviously we are hurting families, we are creating more unemployment, and we are preventing the economy from rebounding.

I mentioned the fact that the top two brackets of our income-tax code is where at least half of all of the small business income is reported and taxes are paid. That is one of the areas where the administration wants to increase taxes. Why would we do this when, as the Small Business Administration says, it would force many small businesses or could force many small businesses to close? It doesn't make sense. That is why we are focused on cutting spending, capping that spending over time, and ensuring those caps stay in place through a balanced budget amendment.

I think the American people have an understanding of this. There have been a lot of polls quoted lately. I just wish to refer to one, which is only a week old. It is the Rasmussen poll from last Thursday. The question was asked whether there should be a tax hike included in any legislation to raise the debt ceiling—a pretty straightforward question. Rasmussen is a very reputable pollster. This was just 1 week ago. Most voters said no. Only 34 percent thought a tax hike should be included. Fifty-five percent disagreed, said it should not. Among those affiliated with neither political party—the so-called Independents—35 percent favored it and 51 percent—a majority—opposed including a tax hike in the legislation to raise the debt ceiling.

So we are with the American people on this issue. It isn't necessary. Taxes aren't the problem. It affects a lot more people than they ever think it will. Finally, if we want to really hurt economic growth, if we want to really kill job creation, then just pile more taxes on to the economy. It doesn't make sense. That is why we are so insistent on supporting legislation that would cut spending rather than raise taxes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, yesterday, I was on the Senate floor talking about this piece of legislation that is now pending before the Senate, passed

by the House of Representatives earlier this week. I am a sponsor and supporter of cut, cap, and balance and believe it is a path toward responsibility that we need to demonstrate in the Senate, in the Congress, and here in America.

It seems to me it certainly is irresponsible not to raise the debt ceiling, but it is equally or more irresponsible not to raise the debt ceiling without making adjustments in the way we do business in Washington, DC. Clearly, cutting spending is a component of that, capping spending is a portion of our national economy, returning it to the days, just a few years ago, in which we were spending ''only'' 18—I say ''only'' in quotes, perhaps—''only'' 18 percent of our gross national product by the Federal Government. Unfortunately, in the last few years that 18 percent has grown to 24.2 percent.

So reducing some spending, capping that spending in the intermediate future, so it does not exceed a certain portion of the national economy, and, finally, passing a balanced budget amendment to the U.S. Constitution seems to me to be a reasonable, rational approach to solving the problems we face.

I also indicated yesterday that in my view there is a fourth component. It is cut, cap, balance, and grow. I do not want us to forget the importance of a growing economy. The last time we had our budget that was in balance, close to being in balance, was at the end of the term of President Clinton. Yes, there was some spending restraint back in those days, in those years. Republicans and Democrats could not get together and pass major pieces of legislation that increased spending, so that spending restraint was an important component.

But the other part of that is the economy was growing and people were working and, as a result, they were paying taxes. That is the more enjoyable component of our work, in addition to restraining spending, capping its percentage of the economy, and putting a balanced budget in place so we do not get back into this mess.

The other aspect of that is to make sure we make the policy decisions in our Nation's Capital that allow a businessperson, an employer, to make the decision that now is the time to invest in plant and equipment, now is the time to add additional employees. Yet there are so many aspects of decisions that have been made in our Nation's Capital over a long period of time that now come together and discourage an individual business owner, a potential employer from making the decision: I am going to invest in the economy.

We have all heard the numbers as to the amount of money sitting on the sidelines in the U.S. economy. In my view, the recession we are in has lingered longer than necessary because there is so much uncertainty in regard to what is going to happen next, and a large portion of that uncertainty comes from the inability to predict what policy decisions are going to be made in the Senate, across the hall in the House, and what the Obama administration is going to propose and potentially put in place in regard to rules and regulations.

I certainly hope my colleagues in the Senate will take the proposal by the House of Representatives as serious work. I certainly agree there can be negotiations had. There has been, as I indicated yesterday, some concern about the specific language of the constitutional amendment that requires a balanced budget, and we ought not draw the line in the sand and say it has to be exactly the way it is written.

Let's come together and work to find a reasonable, rational solution based upon the outline this legislation provides. From time to time, it has been considered a radical piece of legislation—labeled that way. Yet so many of the things we do in our everyday lives, that States across our Nation encounter and the way they conduct business are certainly capsulized in cut, cap, and balance.

I know there has been significant talk about raising taxes. I heard the Senator from Arizona speak to this before, just a few moments ago. When an individual is struggling to pay the bills, they do not often have the opportunity to ask for a pay raise. What we do at home, what we should do in our own lives, is to reduce our spending levels. Simply asking for more money to meet our current obligations is not usually an option.

That tax issue goes with my comments a moment ago about the importance of growing the economy. Too often, we look at taxes as a source of revenue. I am for raising revenue, but I am for raising revenue by a growing economy and people being at work paying those taxes, not by raising the tax rates but by improving the economy and allowing good things to happen to families, individuals, and businesses across the country. So that Tax Code is an important component of this issue of growing our economy and getting our deficit back in line, back to some level of responsible behavior here.

ONE-YEAR ANNIVERSARY OF DODD-FRANK LEGISLATION

Mr. President, the additional point I wish to make—in addition to what I have said already today but also in addition to what I said yesterday to the Senate—is that this is the 1-year anniversary of the passage of Dodd-Frank.

Huge financial regulations were put in place by legislation that, just 1 year ago today, was passed by the House and Senate and signed by President Obama. In my view, that legislation is another component of the difficulty in knowing what is coming down the road—hundreds of regulations yet to be proposed, pursued, and enacted, so many of our businesses and financial institutions do not know what to expect and, therefore, again are waiting to see what happens in the Federal Government, what decisions are made here, in this case not by Congress now but by regulators up the street in our Nation's Capital.

So on this anniversary of the passage of that legislation, I wish to again highlight what I think is a commonsense reform to that legislation. A part of Dodd-Frank created the Consumer Financial Protection Bureau. A number of Senators have signed a letter to President Obama trying to make clear that before a head of that Bureau is going to be confirmed by the Senate, we believe that structural reform, change in the nature of that organization, needs to occur.

Again, these seem very straightforward and common sense to me. But rather than have a single head of the Consumer Financial Protection Bureau, I would ask that—in fact, I have introduced legislation to do this, and my colleagues, in signing that letter, asked the President to help us change that individual to a board or commission similar to other government agencies charged with financial oversight, so the power does not rest in a sole individual.

Then, again, one would think Congress would never want to give up the authority to determine the appropriations for this agency. Instead, the law, as currently written, provides for a draw against the Federal Reserve as compared to where almost all agencies have to come to Congress and ask for their appropriations, which gives us, as legislators—me, as a member of the Senate Appropriations Committee, as ranking member of the Financial Services Subcommittee on Appropriations—the opportunity to review, to have input, to provide oversight. We ought to change that formula by which the money comes directly from the Federal Reserve and put it back with the responsibility of this Congress making those decisions.

Finally, we want to have banking regulators—who oversee the safety and soundness of our financial institutions today—given meaningful input into the Bureau's operation, all designed to provide greater opportunity for us as Members of Congress, for the American people, to have input and oversight over what will be one of the largest agencies, most powerful regulators in our country's history, and certainly having significant creation of new rules and regulations that are going to, in some fashion, affect the U.S. economy.

Many of my community banks feel so overregulated today. There is a real concern or fear about making loans today—something that is very important for an economic recovery, that aspect of growing the economy—because they do not know what the next set of regulations is going to be.

In fact, for the passage of Dodd-Frank—the legislation we are now observing the 1-year anniversary of it becoming law—the GAO, our Government Accountability Office, estimates that the budgetary costs of Dodd-Frank will

exceed $1.25 billion. In addition to that, the Congressional Budget Office estimates that over the next 10 years, Dodd-Frank will take $27 billion directly from the U.S. economy in new fees and assessments on lenders and other financial companies.

So as we look at the legislation that is pending before us—cut, cap, and balance—my hope is we will expand—once we pass that legislation, we will get back to aggressively pursuing a projob, progrowth agenda. Jobs certainly are important for us in generating the revenues necessary to fund the Federal Government and to reduce our national debt. But there is nothing more important to Americans, to Kansans across our State, than being able to have a secure opportunity for employment, to put food on the family table, to save for their own retirement and their children's education.

I do believe—seriously believe—that a significant message that was delivered by the American people in the election of November 2010 was the reminder to us that we have the responsibility—again, government is not a creator of jobs, but we are the creator of an environment in which the private sector can create jobs.

So let's cut, cap, balance and grow the economy and strengthen the opportunity for every American to have a valuable and viable job, with the hope of improvement in their own lives, and, most importantly, make certain we pass on to the next generation of Americans the ability to pursue that American dream.

I thank the Presiding Officer for the opportunity of addressing the Senate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I rise to talk about the bill that is before the Senate today. But as a part of that, we are now in the midst of a true fiscal crisis in this country, and I want to address something that has been debated over the last several days, discussed over the last several days, criticized over the last several days. It has been the subject of a lot of misinformation—by colleagues on my side of the aisle particularly—about the proposal that has been submitted by the so-called Gang of 6, of which I happen to be a member. And I am someone who for the last 7 months has participated in discussions with two of my colleagues on this side of the aisle, as well as on the other side of the aisle, to try to find a bipartisan solution to being able to repay the $14.3 trillion our Federal Government owes, and that we have all participated in creating.

The misinformation that is going around from my friends is very disturbing. People are here on this floor throwing out numbers that are wrong, giving specifics on a piece of legislation that has not even been written, and yet they are talking as though they are experts on the subject of a matter that my five colleagues and I have been discussing and debating among ourselves for the last 6 months—and we have not even put the legislation out there yet. So it is pretty disturbing to me that there are some people in this body who want to see nothing done and I assume want us to continue down the road of borrowing 40 cents out of every dollar we are spending. I am not willing to do that. I think we were sent here with a commitment from our constituents to solve the serious problems this country faces. The only way we are going to solve this fiscal problem we have is to generate 60 votes in this body in support of some proposal.

I am going to talk in support of the proposal we have under consideration now because I think it is a potential solution. I am very appreciative of the authors of the cut, cap, and balance bill. I am appreciative of our leadership for at least trying to come forward with something and put it on the table to give us the opportunity to debate those ideas.

I think there have been a number of very positive proposals that have come forward and hopefully that will come forward in the next few days to allow us to debate this issue and to primarily solve the problem relative to the debt ceiling and solve the problem relative to the long-term debt we have.

I have to say, I am disturbed about some of the comments and statements—even from folks who were critical of the plan we put forward for cutting too much spending. These are the folks who have been ranting and raving about the fact we are spending too much money in this town, and now they are complaining about the fact we are cutting too much in spending.

I look forward to continuing this debate. I want to say the proposal that we put forward was intended from day one to be a framework, not the final product, but a framework, for this body as well as the House to discuss as a way forward for solving the issue of how we are going to repay this $14.3 trillion. We never, ever intended for it to be in the mix on solving the issue of the debt ceiling that needs to be raised, according to the Department of the Treasury, by August 2.

Because we happen to have come to a conclusion of our negotiations this week, at the same time the debate on raising the debt ceiling is reaching its height, that has obviously created the impression on some folks that our proposal is intended to solve the issue of the debt ceiling. And it is not. It categorically is not. I want to make that perfectly clear.

That being said, if there is any part of our agreement, any part of our principles that can be utilized by the leadership of the House and the Senate to figure out a way forward on the debt ceiling, for we have no pride of authorship. We hope leadership will take advantage of anything that can be used to try to generate the necessary support in this body as well as in the House to solve the issue of this deadline we are facing on August 2.

I rise today in full support of the cut, cap, and balance legislation. I am proud to be a cosponsor of this bill and I commend my fellow Senators in this Chamber who have taken it upon themselves to offer solutions to the large and growing problem of our debt and our deficit.

A majority of Republicans here in the Senate as well as a majority of those in the House believe that legislation that cuts government spending and makes tough enforcement mechanisms on the Federal budget is the right way to bring spending under control. I am also proud to be a cosponsor of a separate balanced budget amendment. I firmly believe all of these proposals will structure and control the Federal Government's spending, just as Americans have demanded. We are in the middle of a fiscal crisis. Last year, the government spent at a rate of 25 percent of our gross domestic product and took in revenues of about 14 percent of our gross domestic product. The result of that is that last year, for the fiscal year ending September 30, 2010, we had in excess of a $1.5 trillion deficit. It looks as though we are headed in the same direction this year. This is totally unsustainable. Our financial markets have told us that. The folks who are in the process of putting together another sale of our bonds have told us that. We know people who are looking at buying those bonds are looking very closely at how this body acts over the next several days.

Some people have said the bond market is the most honest financial market out there, as the bond market tends to track truest to the debtor's overall fiscal standing.

The bond-rating agencies have already told us that we are approaching the edge of what the market will bear. We are close to the brink of our self-imposed debt limit of $14.3 trillion.

We must give serious, solemn consideration to any plan that will turn us immediately away from our overspending. We need to be mindful of the consequences of a default. Forcing the administration to make spending decisions is only one problem we face.

A default and the subsequent rise in interest rates means we will find ourselves deeper in debt, and rampant inflation will prevent us from achieving fiscal solvency.

Current levels of discretionary and mandatory spending cannot be sustained. Mr. President, I say that with respect to every area of the Federal Government. We cannot allow any area of the Federal Government to go untouched. If we do, we will allow that area of government to continue to

grow out of control. We must cut Federal spending anywhere we can and in every department of the Federal Government.

We also have to reform entitlements. We have to look at the issues that are very difficult for a lot of us to deal with, and we have to make some very tough decisions.

Too frequently we have engaged in political theater instead of earnest efforts to resolve these long-term budget issues. The American people expect and deserve an honest budget debate and an honest budget process.

On Tuesday of this week, the House made an historic vote. Its Members decided that Congress can no longer feign interest in securing our financial future. They took the right step of voting to cut spending and place rigid caps on remaining expenditures with tough budget enforcement mechanisms. I commend them for their efforts.

Now is the time to join our colleagues in the House. We must look for new ways of ensuring that the Congress cannot break promises.

The best path forward toward fiscal stability will set a firm foundation, and this legislation will do exactly that.

George Washington gave clear guidance when he told the House of Representatives that no consideration ''is more urgent than the regular redemption and discharge of the public debt.''

We can no longer allow the American people to suffer by not providing the economic basis for recovery and growth. The equation is simple: a balanced Federal budget that is free of excessive debt leads to a healthy economy and sustainable job creation activities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I rise in support of H.R. 2560, the Cut, Cap and Balance Act.

I have been watching the debate on my TV back in the office this afternoon, listening to the arguments made pro and con, and thinking to myself that back home in Georgia there are a lot of folks who live around me who are scratching their heads wondering why cut, cap, and balance is such a bad idea because they have also had to cut, cap, and balance.

The call I left before I came here to speak on the Senate floor was from a minister and his wife whom I know. They are retired. Both of their daughters are married and live away from Georgia. Both of them have been in financial difficulty, and both are on the brink of losing their homes. Through the counseling of the minister and their support, they counseled and showed them where to cap, cut, and balance so they could make their mortgage payments and not lose their homes. Americans have had to do that all over the country. The present economic situation mandates that. There are no excuses with the IRS or bill collectors or people with whom you may do business. If you don't pay, there are consequences.

America as a country must ask of itself what we impose and ask of every citizen in our country. I think also there are probably a lot of members of the Georgia Legislature who are watching this debate and scratching their heads. In my State, in the last 4 years we cut $5 billion—from a $22 billion budget to a $17 billion budget. Do you know why? It is because our Constitution says we have to have a balanced budget. We can't borrow to pay for everyday operations, and we must live within our means. We have had to cut, and a lot of those cuts have been painful.

Many States are coming back now. There was an article the other day about States that are coming back and showing future months of growth in revenues and in their income, and even looking to surpluses that will come in the years to come. Why? Because when they had to do it, they balanced their budgets and capped their expenditures, and they did what their Constitution requires.

This proposal tells us, first of all, to make cuts that would materialize early of about $51 billion. It would be a downpayment on the process to continue the cutting process to reduce our deficit and our debt. It has a formula for capping expenditures in the future, going from 21.7 percent of GDP to 19.9 percent of GDP which, by the way, falls within the realm of the last 40-year average, until the last few years when we have gone from 20, 22, 24, to 24.6 percent of GDP.

It is not unreasonable to ask us to impose upon ourselves a cap consistent with the averages of our past. Remember this: As we get our arms around our spending and live within our means, business will prosper, revenues will go up to companies, taxes will go up, and that percentage of GDP will give us a broader margin. It is only when we are in a declining economy, a recessionary environment, where revenues go down, that caps are hurting a lot because we are not empowering business, profits go down, and revenues go down for the country.

On the balanced budget amendment, this provision leaves room for negotiation between the bodies as to what the caps will be in the balanced budget amendment, whether it would be a supermajority of 60 or 67 to raise taxes. It is a realistic approach to cause us to sit around the table in Congress and negotiate what is wrong for the country. If it is right for almost every State in our Union to have to balance their budgets, to cap their spending, and to limit their borrowing, it should be right for us.

This proposal is right for America. It is basically what we require of our citizens. It is now time we required it of ourselves. I am proud to join my fellow members of the Republican Conference of the Senate to vote for a new discipline for America that cuts excessive spending, caps wasteful spending, and, over time, allows us a roadmap to have a balanced budget and a GDP ratio to expenditures that is doable, workable, and historically justifiable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for 15 minutes as in morning business.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

PILOTS' BILL OF RIGHTS

Mr. INHOFE. Mr. President, first of all, let me make a comment on something totally unrelated to the subject of the day, which is that we have a significant bill coming up that the occupant of the chair and I have put together. It is called the pilots' bill of rights. The reason I want to say something about it is it is getting toward the end of the week. It happens a week from today—the largest gathering anyplace in the world of pilots who will get together in Oshkosh for the big event. I have been going to that for 32 consecutive years. We have probably the most significant piece of legislation we have ever introduced at Oshkosh. We are going to have literally thousands—I am talking about 200,000 pilots who are single-issue people.

I have been a pilot for 50 years. I know how these people think. The pilots' bill of rights is going to offer an opportunity to these people, who might be accused of something by the FAA, to have access to the evidence against them. It is something that everybody is for. As a matter of fact, it is something that—I haven't said yet, but I just heard that the air traffic controllers are supporting this effort. So we are going to have a lot of people. We already have 34 cosponsors.

The reason I want to say this, I know not many Members are listening, but a lot of staffers are. Pilots are single-issue people. They are going to want to know who is cosponsor of the bill. We will be talking for a period of 2 hours in two different settings. We will have literally thousands of pilots there.

I encourage very strongly people who may be listening to us right now to have their Members look at this carefully. As I say, pilots are single-issue people, and this is their issue. I did this twice—once in 1994, when we were able to use the population at Oshkosh to push over the top the first product liability bill that changed our manufacturing of aircraft from a major importer to a major exporter. That all happened at Oshkosh.

Another time it happened was with Bob Hoover, whom I think would be considered to be the best pilot in America today. He is up in years, but this guy had a problem that we helped him with, an emergency revocation. We did it in Oshkosh.

I hope we get a lot more people who are interested in general aviation, and

particularly if you are on the general aviation caucus and you are not on this bill. There are going to be an awful lot of questions.

CUT, CAP, AND BALANCE

Let me make a few comments about the Cut, Cap, and Balance Act. I can remember coming to the floor standing at this podium about 15 years ago, and this was during the Clinton administration. I came here because the Clinton budget for the entire country at that time was $1.5 trillion. I came down and stood here and said: How is it possible to sustain a level like $1.5 trillion? That was to run the United States for the entire year of 1996.

Now I think the outrage this year is that in President Obama's current budget, the deficit alone was $1.65 trillion. In other words, the deficit alone, right now, is greater than what it took to run the entire country for a period of a year in 1996.

That is something we can't continue doing. I believe the spending has gone so out of line that it is not believable. It is not possible for people to think this could be happening. President Obama has managed to increase Federal spending by over 30 percent, to an average of $3.6 trillion a year—$3.6 trillion. I was complaining about $1.5 trillion, and this is just 15 years later.

Is anybody listening out there? Does anybody really care? Maybe since I have 20 kids and grandkids I am a little more sensitive to the fiscal destruction of this country. This has caused our national debt to increase by 35 percent. Today, we have to borrow 40 cents for every dollar we spend. It just happened. This is something that we have to address.

I think we are so wrapped up now in saying how are we going to get this done by this deadline of August 2. I remind everybody of something that most people don't know, and it is a shock. They think this is the first time in the Obama administration that we have talked about increasing the debt limit. It is the fourth time. He keeps coming up with trillions of dollars of deficit each time—$5 trillion in three budgets. Believe me, it is not anybody else in this Chamber. It is not in the other Chamber, the House. It is one person—the President—who has come out with his budget. He signs it and sends it to us.

Well, that is a total of $5 trillion over the last three budgets. Some may think it is just not possible that this could be happening. This is the fourth time he wants to increase the debt limit.

This is the strategy: Go out and spend all this money like drunken sailors, and then come right up to the last minute and say the world is going to come to an end unless you increase the debt limit. You have to stop someplace, and I decided the last time he did this that I was going to stop unless we had some type of discipline.

The only discipline out there is the cut, cap, and balance budget amendment. I think we need to look at this carefully because if you stop and put this down—what I normally do on something like this is say: How does this affect the average person? This increase in debt just in this period of time would be $11,000 for every man, woman, and child—an increase from the time this President took office. That is an increase, and the total amount of debt they would owe would be $46,000. That is the day they are born. Happy Birthday.

Well, over the past several weeks, we have talked about what to do about the debt limit. I have looked at the three major plans out there. Looking carefully, the problem I have with the plan that has come up—called the Gang of 6, or the Gang of 7 depending on which group you are looking at—is that it has some intangibles in there.

For example, the military cuts—it doesn't say where they are, but we are talking about it—almost $1 trillion over a period of 10 years.

I am on the Armed Services Committee. I can tell you that I don't know where that will come from until they come up with more specifics—and they might do it, and it might be plausible. As it is right now, the cut, cap, and balance legislation is the only one I have seen that would really work. I haven't been involved in all these discussions. A lot of people are certainly working to try to come up with answers, the ones going to the White House every other day talking with the President. I don't happen to be one of those. My major concern right now—and I will at least mention this, because I have done several shows today to try make people understand—is, yes, the deficit and the spending, all that is terrible, but what is equally as bad—and that nobody knows about—is what is happening in terms of the regulations. We have all these programs this administration has tried to pass. I would say the main one that people are familiar with is cap and trade. Remember the old thing that has been going on for 10 years now—the cap and trade? That would cost the American people somewhere between $300 billion and $400 billion a year. That is a huge thing. Bringing that figure down to every taxpaying family in my State of Oklahoma, it would be a little over $3,000 a year, and you get nothing for it.

According to the President's own Director of the Environmental Protection Agency, Lisa Jackson, when I asked her on the record if we were to pass any of these cap and trade bills, would it reduce CO_2 emissions—assuming you want to reduce CO_2 emissions—she said no, because this is only applying to the United States. Let me carry it one step farther. As we run out of ways to create energy in America, we will have a job flight from our manufacturing base, which would have to go to places such as China, India, and Mexico, where they do not have any emission restrictions. So, if anything, it would increase emissions.

I am very proud of the Senate, because now we have perhaps, at the very most, 24 votes to pass cap and trade. So what does the President do? He says: Fine, we will do it through regulations. So, through regulations, he is attempting to do that. And we will hear next week of another example. In fact, there are six major areas where regulations are costing taxpayers hundreds of billions of dollars. Another one he is going to announce next week is going to be a tightening in the standards on MACTs, and it is one that is going to cost in the neighborhood of $90 billion each year. So in just two of these regulations you have $400 billion a year in costs to the American people. People just aren't aware of that.

Some smart guy in my office went back and said: You know, you are not the first person to be concerned about the cost of these regulations. Politicians don't talk about it because no one understands it. But Ronald Reagan, back in 1981, said this:

> Overregulation causes small and independent businessmen and women, as well as large businesses, to defer or terminate plans for expansion.

That is what he said. And then he said:

> I have asked Vice President Bush to head a cabinet-level task force on regulatory relief.

That was the first Bush he was referring to there. So they realized it back then, the cost of overregulation. But it has gotten to the point now where it is every bit as important as the spending problem.

But we are talking about the spending problem right now, and there is nothing complicated about it. When you spend more than you take in, you go into debt, and we can't keep doing that forever. We keep getting these budgets from the President each year—three budgets now totaling a greater increase in debt than all Presidents since George Washington combined. Nobody seems to understand and no one seems to care that we can't keep doing that. We are going to have to do something about it for future generations. I think we are going to do it. I hope when this vote comes up—and I think it has been set for tomorrow—on the cut, cap, and balance legislation, it will be something that will be seriously considered, particularly by people who are coming up for reelection in 2012. They need to be thinking about this, because this will be a huge issue. To stand here on the floor and not vote for a balanced budget amendment—during this crisis we are facing now—is something everyone will have to answer to.

So while the caps we talk about in the cut, cap, and balance legislation would be over a period of time, it is no good unless you have some kind of enforcing mechanism. This bill we will be voting on tomorrow, I understand, does have that enforcement mechanism. It has sequestration. These are automatic cuts, so that if Congress decides it is going to spend above the caps that are

allowed, then automatic sequestration goes into effect. It works. It is enforceable.

We have watched spending go up. I am reminiscing here that this has been going on for a long time. People are saying: Well, we are not going to be able to pass a cut, cap, and balanced budget bill because they have been trying to pass a balanced budget amendment for some 40 years or so and they haven't been able to do it. I think this is a unique time that is different than the past 40 years. This is the first time I have seen where the average person knows we can't sustain this thing. We can't go from a budget running the United States of America from $1.5 trillion and then all of a sudden it is $3.5 trillion under just one President. You can't continue to do that.

I remember way back many years ago, when I was in the State legislature, there was a great Senator named Carl Curtis from Nebraska. Carl Curtis was quite elderly at that time, and he had been trying to do a balanced budget amendment for probably 20 years at that time. This was back in the 1970s. He came to me in the State legislature in Oklahoma and said: I have an idea. The argument they use against a balanced budget amendment is that three-fourths of the States would never ratify it. So, he said: Let's preratify a budget balancing amendment.

He was kind of a genius. I happened to be the first State legislator he approached, and he asked me to take it on as a project. So the State of Oklahoma was the first State in history to preratify a balanced budget amendment to the Constitution. It was kind of fun. Then it was so popular that others started doing it, and we got right up to the three-fourths but couldn't quite get over that. But that is something that took place many years ago.

This is something we know is not easy, it is something that is difficult to do, but we now have another chance. It is the first time we have had a chance where the majority of the people, by polling, are expressing their outrage and stating that we are going to have to do something. Even though we have raised the debt limit countless times, this is the one time it is getting all this attention, and it is getting this attention because we all know we have something that is no longer sustainable. So we have another chance at the balanced budget amendment provision in the cut, cap, and balance bill, and it would prevent the debt limit from being raised until Congress sends one of the three balanced budget amendment proposals to the States for ratification. In other words, the amendment would have to pass both Chambers by two-thirds majority before the debt limit is allowed to increase. This makes sense. It is a permanent solution to our problem.

Within 5 years of ratification, the amendment would require Congress to pass a balanced budget every year, and it would cap total spending at 18 percent of GDP. Right now it is above 20 percent of GDP, so it is even lower than the caps we have had before. It would also require a two-thirds majority to raise taxes. We all know conditions could change—we could be in a war—so this does have a deficit provision which I think is very responsible. The balanced budget amendment is the only reform that will put our Nation on a true path for permanent fiscal stability. It will force comprehensive and real changes to the Federal Government and its spending priorities. If it is ratified, it would avert the risk of a debt crisis. In short, it would put our Nation on a path to limited government it has not seen in years. So I think this is the opportunity.

We have three different opportunities coming up. We have heard about the proposal by the Republican leader and by, I think, the majority leader. That might be some kind of last effort, and maybe that is what we will be considering. But the first and the best and the easiest—and the most fiscally responsible—is the cut, cap, and balance bill. So we will have that opportunity tomorrow. It is very significant we take advantage of that opportunity. I am not the pessimist most people are. I think we have a shot at this thing. If the American people are watching carefully, we could pass this thing.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COATS. Mr. President, I come down here frustrated and hopeful. I want to see the glass half full even though we have been through a frustrating number of days and months dealing with our debt crisis, and here we are careening toward another crisis. Congress went through this earlier in the year. It seems as though the only way we ultimately get things done is to take it right up to the edge and then come through with an agreement. I don't think it is fair to the American people. It clearly isn't a formula for providing certainty in our economy for those who are running businesses and for households that are making tough decisions.

If there is one word that characterizes where we have been this entire year, it is ''uncertainty''—uncertainty about what the future is going to look like. Are we going to default or not? Do we have enough money to pay the bills or not? What are the consequences of a potential default? When we had the continuing resolutions to provide funding for the rest of the year, we went from one extension to another extension to another. Everything is in limbo. How can you run an economy, how can a business man or woman make a decision if they don't know what is coming down the line in terms of taxes, in terms of regulations, in terms of the economic climate, in terms of whether people will be buying, selling, or just sitting on their money?

Into the third year of a slowdown and recession, the economy is growing but not growing at a rate that is putting people back to work. We all want to get the economy moving again, and inserting certainty into the process will certainly be a positive step forward.

I think there is virtually unanimous consent that this government has grown too big, it spends too much, it doesn't have the revenues to pay for what it does, and there needs to be real reform taking place soon.

We are 12 days away from August 2, the date the Treasury Department has indicated we run out of money and don't have enough to pay our bills. Obligations that have been committed to and promised can't be paid because we won't have the funds to do so on August 2.

We have known this day was coming for a long time. We were originally told we would run out of money in March, and then for some reason it was moved to May and then to August. I don't know how they are moving money around at the Treasury to extend this particular date, but it appears we are now at the end of the road, we are at the wall, and decisions have to be made.

Are we going to take the necessary steps, make the tough decisions, and do what we need to do to control our spending, to put in place mechanisms that will ensure we don't continue to do what has been done over the past several years, and put policies in place that will stimulate our economy and get people back to work? After all, it is really all about jobs. It is all about an economy that is providing opportunities for young people coming out of college and high school, opportunities for people to buy homes and raise their families and save money and send their kids to school, to keep a good-paying job, to be able to pay the mortgage and all the bills that come to the household every month. That is really what it is all about. Unless we address these issues before us here fiscally, we are not going to get to the point where people have hope for the future.

I said I am frustrated, and I guess I just expressed some of that frustration, but I am also hopeful. I am hopeful because in times of crisis, solutions can be found. We wish we could do it in a more systematic way. We wish we had done it in the past several months, but we didn't, so here we are. And now I think the focus is clearly on getting to a solution.

We are debating a plan called cut, cap, and balance—cut because we are spending more money than we can afford to spend; cap because we want to put procedures in place not to spend more than we can afford in years to come; and balance, a balanced budget

amendment to the Constitution so that when Members come here and put their left hand on a Bible and their right hand in the air and swear to uphold and support and defend the Constitution of the United States—and that Constitution says you can't spend more than you take in, you need to balance your budget just like households and businesses all across America, and virtually all of our States have these either in statute or in amendment form, the Federal Government excepted.

I don't believe Congress has demonstrated the discipline necessary to run a fiscal house that is anywhere close to balanced. Despite all the wonderful speeches that we are going to cut this and do that and provide for this and provide for that, we have just seen an explosion of debt, an explosion of spending regardless of what the revenues coming in happen to total. A constitutional balanced budget amendment will give us the spine and backbone and the duty and responsibility to uphold the Constitution in that regard and achieve and make the tough choices, make the tough votes every year.

This happens in our State every year. We somehow survive, and in fact we are doing pretty well because our legislators have to go before the people and say: That is a good idea; but we have to balance our budget. We could raise your taxes to pay for that if you want that extra program or we can cut another program and substitute the money saved from that for this program or, we just can't go there. We don't have the money. These are the choices we have to make, and this is the responsibility we have.

I said I am hopeful. Why am I hopeful? I am a baseball fan, sports fan, basketball. I have seen so many sports situations where the announcers have said or the spectators have observed that it is hopeless, there is no way they can come back, there is no way they can pull this out, but then I have seen miraculous comebacks in the fourth quarter of basketball games, maybe the last 2 minutes, in the bottom of the ninth where you have just about written off any chance of victory at all, and all of a sudden they come from behind. Whether it is soccer, baseball, basketball, or any sport, we all have experienced situations that give us hope.

Even though the clock is ticking down, as it is on this debt limit date, and even though some are saying we are never going to get there, I am hopeful we can come forward with a sensible plan. In my opinion and in the opinion of many, the cut, cap, and balance is a plan that can get us to where we need to go. Clearly, first we need—and cut does this—to address our spending issue, and then cap so that we don't keep running into this year after year, and then balance so that we are committed to it for the long term. In order to get there, this provision before us gives us the opportunity to do just that.

The reforms that we need to address—not just cutting but addressing the out-of-control, deficit-driving entitlement programs that need to be reformed in order to save those benefits and save those programs for the future, not take them away and not watch them go into insolvency—all those need to be addressed, and I hope they will be, and this is the plan that can get us there.

We will be voting on this tomorrow morning, and I am urging my colleagues to look at this in a serious way.

There has been a lot of criticism of various plans that Republicans have put forward. Yet the President hasn't put anything forward. My colleagues across the aisle, the Democrats, haven't put a budget forward or a plan. We get criticism because they don't like this part of our plan or they don't like that part of our plan. We aren't saying our plan is perfect, but where is yours? We have nothing to measure it against. Democrats are in the majority in the Senate, but nothing has been brought forward here for us to debate or vote on. There is no way we can stand here and say, here is our plan, what do you like about it, what don't you like about it, or for you to stand here and say, here is our plan. Let's work together to meld these two things together. Maybe we can find a compromise. Nothing has been provided by the other side.

We are here with cut, cap, and balance, and people said: No, that is not the one. People have said: Gang of Six—no, that is not the one. People have said that of other provisions that have been brought forward: No, that is not the one. Well, OK, fine. You don't like that? What is the one? What is the one that gets us there?

So as we approach the very end, we have to understand that the consequences of what we do are enormous. Doing what is right for the future of America and the future of the American people, the future of generations to follow, is what ought to be driving us at this point toward reaching a rational, sensible solution to put us on the path to fiscal responsibility and get our financial house in order.

Just hours are left before we have this vote, and if this vote doesn't pass, as many are predicting it won't, and the President has said he will veto it if it does, I am still hopeful we can pull something out here in the bottom of the ninth. And if it doesn't pass, where do we go next? So we need leadership, and we need leadership from the leader of our country to guide us where we need to go if they are going to just simply reject everything we put forward.

Let's be very careful how we evaluate our vote tomorrow and the implications it has for the future of this country and the fact that the clock is ticking louder as we careen toward a serious crisis on August 2.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, since I was sworn into office this January, about 6 months ago, the House and the Senate have both been understandably and properly concerned with one issue that has perhaps eclipsed every other issue that has come before us in this half-year period of time; that related to our national debt and the anticipated expiration of our debt limit which will hit in just a couple weeks. Many Americans are understandably concerned and have articulated the concern that if we pass the debt limit deadline of August 2 without raising the debt limit, there could be catastrophic financial consequences.

In light of that, I, along with a number of my Republican colleagues both in the Senate and in the House, have introduced legislation called the Cut, Cap, and Balance Act to address the debt limit, to address it head on. It says we will raise the debt limit if three conditions are met: first, that we make significant cuts to domestic discretionary spending for the fiscal year 2012 budget; second, we need statutory spending caps to put us on a smooth but steady glidepath toward balancing our budget sometime within the next decade; third, we need a balanced budget amendment passed out of Congress and submitted to the States for ratification.

We think all three of these steps are necessarily required before we take the significant additional step of raising the debt limit. Because of the fact that it took us a long time to get to this point, the point where, by the end of the year, we will have accumulated $15 trillion in debt—about $50,000 for every man, woman, and child in America, between $120,000 and $150,000 for every wage earner in America; this is a lot of money—before we extend that debt limit again by an additional $2.4 trillion, we have to solve the problem. We have to address the problem that led to its creation in a real, lasting, binding fundamental way.

That is why the most critical part of this legislation, while each part is important, happens to be found in that which rests upon the idea of a balanced budget amendment to the Constitution. We as Members of Congress could decide right now that over the next 10 years or 15 years, it might be a good idea to cut spending by $2 trillion, $3 trillion, $4 trillion, $5 trillion, $6 trillion, perhaps more—but if we made that promise today as a downpayment to the American people in exchange for the permission of the people to raise the debt limit, it is a promise we cannot make good on because we cannot bind a future Congress.

This Congress was sworn in in January of 2011. Elections will be held in November of 2012 and a new Congress will be sworn in based on those elections in January 2013. The same thing will happen again in January 2015 and every 2 years after that for the duration of our Republic. The decisions we make right here, right now can affect the here and now and can be binding for the here and now, but we cannot reasonably expect and we cannot ask the American people, when making a decision so long-lasting and precedent-setting as this one, to simply trust us that future Congresses will see things the same way we do.

The only way we can bind a future Congress is by amending our law of laws, that 224-year-old document painstakingly ironed out by some of the brightest men of the last several centuries in Philadelphia 224 years ago.

When we amend the Constitution, we make it possible to bind a future Congress. That is what we need to do. We have had some interesting debate and discussion surrounding this proposal. Last Friday, I listened with surprise and dismay as our President said we don't need to amend the Constitution to require a balanced budget, but we do need to balance our budget. In the opinion of the President, Congress just needs to do its job, not amend the Constitution.

I think I understand his point. I think he is suggesting that for Congress to do its job it needs to balance its budget. But I have to ask the question, how has that worked out for us? Have past Congresses balanced their budgets? Has the current Congress balanced its budget? Overwhelmingly, the answer is no. It happens every now and then. Some would describe those instances where it has balanced in the last two or three decades as an accident; others, a momentary blip; still others would suggest it was the product of accounting gimmickry rather than an actual act of budget balancing when that occurred.

Regardless, we know that balanced Federal budgets are newsworthy indeed because they are very rare. I look forward to the day when they are no longer newsworthy, when they are customary, and the only way to make them customary, based on our experience as Americans throughout most of our Nation's history, is by amending the Constitution to require it, to make this a binding and permanent law.

I was shocked and dismayed again to learn that our Senate majority leader, Senator REID from Nevada, stated just a few hours ago that he does not like this legislation. He made some very disparaging comments about it, notwithstanding the fact and completely ignoring the fact that this is not just the best legislation to address the debt limit issue, right now it is the only legislation. It is the only legislation that addresses this issue that is moving through Congress and that has been reduced to legislative language. It is certainly the only one that has been passed by one body of Congress and is now moving over to the Senate.

He is criticizing something when he himself has not offered anything. This is the only show in town. Given how close we now are to the August 2 deadline and, in part, because we punted this so long and, in part, because we have not been having the debate and discussion in Congress we should have been having for months, this is it. This is the only proposal.

If Senator REID has suggestions on how we might change this proposal, I am all ears. I would love to hear what they are. If he has his own proposal, I would love to see what that is. But simply to stand from that desk over there and disparage this legislation is inexcusable, absolutely inexcusable, given the fact that he has offered nothing.

Let me read some of his words. He said: ''The American people should understand that this''—''this'' meaning the Cut, Cap, and Balance Act—''is a bad piece of legislation, perhaps some of the worst legislation in the history of this country.''

I don't know what he is referring to. He didn't give specifics, nor has he given any specifics on what he would like to see in its place or how it could be improved. My suggestion to our Senate majority leader is, if he has ideas, please put them on the table because, as we approach this debt limit deadline, we are running out of time. The clock has been ticking for 6 months. We have known this was going to happen. This is not news to us.

Why, then, has there been so little debate and discussion in this body? Why is it that we spent weeks and weeks and weeks, often dealing with legislation that paled in comparison to the importance of this issue. The clock kept ticking and we kept debating and discussing other legislation far less important.

This, in my opinion, was a gross dereliction of duty. But we still have a few weeks. We can still deal with it. We can still address it. I suggest strongly that we address it by starting with that legislation that has actually been proposed and that we have full debate and discussion.

But, no, we are told. Even after the House of Representatives earlier this week passed the Cut, Cap, and Balance Act, passed it with bipartisan support, by the way—no fewer than five members of the Democratic caucus in the House of Representatives voted to support this. That was passed Tuesday night. We were told later we would be having a vote on Saturday or perhaps Monday. Then, just a little while ago, we were informed by the Senate majority leader that the vote would be tomorrow, giving us little or no time for actual debate and discussion on the floor of what is still, to this moment, the only legislation moving through to address this issue.

This is not an appropriate moment for demagoguery. Demagoguery on an issue this important can result in a lot of unnecessary pain. No one disputes that there could be significant negative economic consequences associated with not raising the debt limit. I do not dispute that, not for a moment. That is exactly why I put my neck on the line in order to file this legislation because nothing else was moving forward. I didn't want to do it, but when I was sworn in as a Senator just a few months ago, I understood it was my obligation to do what I could to make things better, to make our constitutional system work. So I filed it.

It is an insult, not only to me and to my colleagues but to all Americans when addressing an issue this important, to have so little debate and discussion over this issue. I find it appalling. I find it reprehensible. I demand an explanation, and I demand an alternative solution, if the Senate majority leader is going to pick this apart and say he will not do it. Moreover, I will remind the Senate majority leader that just a few short years ago, in 2006, when we had a different President, belonging to a different party, and this body was in control of another party, if my memory serves me correctly not only did then-Senator Barack Obama vote against raising the debt limit, calling the need to do so the product of a failure of leadership that he was not willing to condone and perpetuate, but every single one of his Democratic colleagues joined him in that vote. Not one of them voted to raise the debt limit.

Here we are again approaching the debt limit. Here we are again with only Republicans stepping to the plate and offering a solution. Only this time the solution is a permanent one. Unfortunately, in 2006 and prior and in subsequent debt limit extension votes, there was no serious debate attached to it as to a permanent solution.

We have to amend the governing document, the law of laws, the only kind of law that can bind future Congresses in order to solve this problem. We have to do it now. This is part of what it means to be an American.

We, as Americans, crave liberty and we eschew tyranny to any degree. Every single time we authorize deficit spending we fuel the unfettered expansion of the Federal Government and all its power. We commit ourselves and our posterity to a future that will include working more and more hours and days and weeks and even months just to pay their Federal tax bills every single year. That is time they will not get back. That is time we will not get back. That erodes our individual liberty.

It also erodes our liberty when the same regulatory structure that exists today grows bigger and bigger every year because we are borrowing now more than $1.5 trillion every single year—not because of some aberrational condition, some unusual development that requires an unusual expenditure of borrowed money, but just to cover our

basic day-to-day operations. This is what fuels the perpetual expansion of government, and when government expands perpetually, our individual liberty is diminished, unfortunately, and to a corresponding degree. This is unacceptable.

But there is a way home. The way home is found in limiting the role of government. We can limit the role of government most effectively at this point in time, I believe, by limiting the pool of money to which Congress has access. The only way to do that is through a constitutional amendment.

I wish to close by addressing one final argument that sometimes has been used in response to and against the Cut, Cap, and Balance Act. Many of its detractors are making the claim that I find extraordinary, a claim that says: Why are you even supporting this because it can't pass. It is a little bit akin to saying: Why do we even play the Super Bowl when it is expected that one team is going to beat the other team. We have to play. But this one is not a game. This one is for real.

When we vote after debating and discussing, Members of this body can and will be held accountable to our constituents. So it will be up to me and each of my colleagues in this body to decide how to vote on this issue. For those who make the unfortunate decision to vote against this, notwithstanding the fact that 75 percent of the American people strongly support the idea of a balanced budget amendment; notwithstanding the fact that 66 percent of Americans—both of these figures according to a CNN poll today—support the principles underlying cut, cap, and balance; notwithstanding the fact that this is the only permanent way of solving our debt problem, if Members of Congress and Members of this body choose to vote against this legislation, they will do so, I believe, at their own peril. They will have to face their constituents and explain why a handful of them were unwilling to raise the debt limit, unwilling to address this problem, unwilling to fix the perpetual deficit spending habit of Congress simply because they did not want a balanced budget amendment to the Constitution. I think that is a tall order. I think that is difficult to explain. I think those who try to make that explanation to their constituents will do so at their own political peril. But, more importantly, the vote they cast will be at the peril of the people of the United States of America, of their liberty, of their economic stability and of their ability to prosper now and in the future.

We can turn this ship around, but in order do it we need robust debate and discussion, and our constituents deserve more. The American people deserve more than to have the kind of sleight-of-hand scheduling and the kind of dismissive, cavalier attitude toward what is being characterized correctly by many as the fight of an entire generation.

We need to pass the Cut, Cap, and Balance Act. It is not only the best solution, it is the only solution. The time is running out, and I urge each of my colleagues to support this.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Utah. I am just a bit taken aback by the majority leader's decision to alter the course that I thought we were on that would allow for debate and work on a bill to deal with the budget, the debt ceiling, and our budget deficit tomorrow. In some of his comments he made today after he changed his mind yesterday, he said:

> I'm committed to allowing a fair and full debate on this bill. I want the proponents and opponents to have time to air their views.

And so forth. Then he says:

> I think this piece of legislation is about as weak and senseless as anything that has ever come before the Senate. I am not going to waste the Senate's time day after day on this piece of legislation which I think is an anathema to what our country is about.

And he goes on to say:

> The American people should understand this is a bad piece of legislation, perhaps the worst legislation in the history of this country.

That is what the majority leader said just a few hours ago. Well, let me ask Senator LEE—he is newly elected from the State of Utah. He has traveled all over the State.

Did the Senator share with his people at various times in his efforts that he thought a constitutional amendment, like so many States have to contain spending, is good and sound policy? Did they hold that against the Senator or does he think his election was an affirmation of the cry of the American people that we take some action that would actually constrain spending?

Mr. LEE. On countless occasions throughout the State of Utah, I have articulated the fact that I believe we have no business raising the debt limit without first adopting permanent structural change in the form of a constitutional balanced budget amendment. The people of Utah elected me in part based on that promise. Elections have consequences, and in my case this was one of them.

Mr. SESSIONS. I am flabbergasted by the majority leader's comments. He said:

> I think this piece of legislation is about as weak and senseless as anything that has ever come up on the Senate floor.

Well, wouldn't the Senator say that compared to all the other legislation we are talking about passing—and some of it has some teeth to it, I acknowledge—but compared to all of that, a constitutional amendment that requires us to live within our means is certainly not a weak piece of legislation.

Mr. LEE. I would hardly call it weak. Quite to the contrary. Calls for legislation such as this date back a couple of hundred years. Thomas Jefferson was arguably the first one to suggest this kind of proposal. He called for it again and again, and those calls have continued throughout most of our history, but they have accelerated in recent decades. They have accelerated because this body has refused to balance its budget, and it has abused its borrowing power to the point we are spending more than $1.5 trillion a year more than we bring in. It is bankrupting our country. We are burying our children under a mountain of debt. We are killing jobs, we are spending money we don't have, and that is wrong.

I would hardly call legislation designed to deal with that in a permanent binding way senseless, and I am insulted that the majority leader would suggest that this is somehow senseless just because he doesn't like it because it will make him less powerful.

Mr. SESSIONS. Well, I think that is getting to the nub of the matter. I think it is a sense in which—now for a constitutional amendment to pass, it has to have a two-thirds vote in the Congress, both Houses, and three-fourths of the States. Once passed, no majority leader could come in next year and say: Well, I know I have been in favor of balanced budgets, but I don't want to do it this year. I have more spending I want to occur.

It would, indeed, curb the power of the majority leader and actually some newly constituted Senate to spend more money than the government takes in, would it not?

Mr. LEE. Yes, it would. The whole purpose of the balanced budget amendment is to restrict our power and give that power back to the people where it belongs. The power has been abused here. It has been abused over a prolonged period of time, and it has been abused to a severe degree. This is why the election of 2010 brought about some significant outcomes.

Mr. SESSIONS. I couldn't agree more. I think the American people rightly have concluded that our Congress of the United States that borrows 40 percent of the amount of money it spends—because it is spending more money than it takes in—is acting irresponsibly.

As I have noted earlier, somebody said: Oh, you know, the tea party is angry. Well, why shouldn't they be angry? We have completely mismanaged the American people's business. We are elected to be responsible leaders. Nobody, I believe, would come to the floor of this Senate—I would like to see if it happens—and defend what we are doing, borrowing 40 cents of every dollar we spend no matter what it is on. And the President proposed his budget for next year that would include a 10-percent increase for education, 10-percent increase for energy, 10-percent increase for the State Department, and we are spending money that we don't have.

So I think a constitutional amendment would require a major participation by the American people and all the States of America would discuss it. If the American people decide they believe Congress needs to be restrained and pass that constitutional amendment, what is wrong with that? Isn't that a legitimate way for the American people to have their voices expressed according to the Constitution?

Mr. LEE. There is nothing wrong with it, and quite to the contrary. This is exactly the kind of activity that our Constitution contemplates, authorizes, and with good reason. I should note here it is significant that in this body each State is represented equally. A relatively small State such as mine, the State of Utah, has the same number of Senators as a large, heavily populated State such as California or such as New York because we represent the States. We represent the States as States.

One of our jobs is to make sure that their sovereign interests are vindicated in this body. To suggest that we should not balance our budget, to suggest that we should not propose a balanced budget to be considered by the States—keeping in mind that it is the States ultimately that ratify it if three-fourths of them choose to do so—is insulting to the very States we represent. It somehow suggests our States can't handle it when the States overwhelmingly, almost every one of them, balance their budgets every year.

Mr. SESSIONS. Well, I agree with that, and it is just odd to me—and contrary to the heritage of the Senate—for the majority leader to assume as much power as is being assumed now. I am ranking member on the Budget Committee, and essentially the Democratic leadership told the Budget Committee not to even mark up a budget this year even though the statutes of the United States in the United States Code require Congress to have a budget.

I know the Senator is a skilled lawyer. His father was Solicitor General of the United States. It is probably the most prestigious position a lawyer can have in America, in my opinion. To be able to stand before the U.S. Supreme Court and to represent the U.S. Government in court is an honor that is very high. So he is a student of the law, and I know he is familiar with the statutes of the United States that require a budget. It doesn't say you go to jail if you don't, I will admit, but it says we should have a budget.

Does the Senator think the people in Utah—and I think the people in Alabama—would think we should have a budget because it is the right thing to do, No. 1, and, No. 2, we should do it because it is the law?

Mr. LEE. It is the law, and notwithstanding the fact that we don't have a court order enjoining us to do that, we still have taken an oath to uphold the Constitution. I think that means especially on an issue so fundamental, so important, so sweeping as the budgeting process, we should be complying with that law or at least making an effort to do so.

What I see here is not only a lack of effort to comply with that law but a deliberate, conscious effort made with malice aforethought to avoid the law. That is damaging. That is wrong.

Mr. SESSIONS. The House of Representatives passed this bill. They passed it by more than a few votes to spare and sent it here. I believe if the American people knew what was in it, they would favor it. The people in my State would favor it. I think the American people would favor it. How does the Senator think the good people in the House, the good people of America, who overwhelmingly favor a restraint in spending and balancing our budget, would feel about the leader curtailing our debate on this important subject and saying:

> I think this piece of legislation is about as weak and senseless as anything that has ever come on this Senate floor. I'm not going to waste the Senate's time.

Mr. LEE. I think the American people would be profoundly disappointed by that statement. More importantly, they would be profoundly disgusted by the fact that it wasn't enough for the Senate majority leader simply to say: I disagree with it or to point out areas in which he might disagree with it or might want to improve upon it. He went so far as to say it is not even worth our time to debate and discuss this. That smacks of tyranny. Americans don't respond well to tyranny, and this is unacceptable.

Mr. SESSIONS. I have to say I think we are having a problem in the Senate. I consider the majority leader a friend. I know it is a very difficult job. I have said that many times. I wouldn't want it. Trent Lott said it is like herding cats or it is like pushing a wheelbarrow with frogs; you put one in and two jump out. It is a tough job, but he asked for it.

The Senate is a great institution. I don't know what Robert Byrd, the late Senator from West Virginia, would say if he were here. I think I know. I think he would be very uneasy about the process we have gone through this year when, through the power of the Chair, the majority leader has blocked legislation after legislation, has blocked us moving forward with a budget, refusing to allow the committees to move forward, and refused to allow the budget even to come up last year.

We are now I think 812 days without a budget in the Senate, running the largest deficits the Nation has ever run, and those deficits are not transient. They are not going to turn around when the economy picks up a little bit. It is a systemic, deep, structural problem, and we are endangering our future. We are being blocked from even being able to discuss it while people meet in secret over at the White House with the Vice President, with the President, and a few others meet with a group of Senators. Nobody elected them, but they are good people. If they want to meet, that is fine. We need to be seeing legislation, actual bills we can take to committee and score and see how much they cost.

Being the student of American law and the Constitution as the Senator from Utah is, and being knowledgeable about common people, does the Senator think the American people think there is something wrong with this process, where we have gone all year long and not done anything of significance to deal with the most significant issue facing our Nation maybe in the next decade, and that is the size of our debt?

Mr. LEE. Absolutely. Absolutely. Look, the American people understand that power is most dangerous in government when it is consolidated into the hands of a few people. It becomes even more dangerous when that power is wielded under cover of darkness.

The great thing about sunlight is it illuminates and it disinfects. We need that illumination and that disinfectant during that process, because it is corrupt. A process that allows something of such profound importance to be decided by a handful of people, who tell their colleagues: You plebeians don't worry about it; this is for us high-minded people; we will decide; you will follow; and we will do it in such a way that you won't have time to read it, to review it, to debate it, to discuss it; this is corrupt, and it has to end.

Mr. SESSIONS. Mr. President, I think what the Senator has said is sadly too truthful. I do believe this is a corruption of the process. I believe it has been happening over a period of time since I have been here. I have seen it happen more and more. Both parties have done a lot of this, but I do believe it has reached a new height this year.

I think Senator REID believes in the Senate. I think he respects the Senate. I do. But I think he is under constant pressure, and they have decided that—some of his Members, I guess, didn't want to stay here this weekend. They wanted to go home. They had a speech they wanted to give or a party they wanted to attend or a fundraising event they wanted to go to, so they don't want to stay here this weekend. Just yesterday, I think it was, Senator REID was complaining about the House going home this weekend, and promising we would stay here and we would work. Now, all of a sudden, anybody who stays here and wants to vote on a bill that passed by a substantial majority in the House of Representatives, he says is acting—he says the bill is anathema to the Senate, and senseless, and not worth our time to talk about. How does he get to decide this?

Mr. LEE. He gets to decide it only if we allow him to decide it. We outnumber him, and if we vote contrary to his will, we can overrule him. If enough Members of this body are willing to stand up for truth and justice and the American way, debate and discussion

and the rule of law, this thing he is trying to do to us won't happen. We can have actual debate and discussion.

We have responded. We have responded politely and well to his directive that we would stay here this weekend. We had made plans. We have canceled plans in our home States. All of a sudden, his high and mighty speech earlier this week telling us we had to stay here is no longer important when he disagrees with some legislation we put forward. He would rather shut down debate and discussion. He would rather end the process that is absolutely necessary to avert this crisis that is quickly coming than he would to have to confront the facts, offer up his own solution and respond to the valid points that have been made in this debate and in this discussion.

Mr. SESSIONS. It is an important issue, I think. I really do. I wish to make this point: There is only one bill that has passed and been advocated, that is actually on the floor of the Senate, that raises the debt ceiling and changes our debt course in America, and that is the bill the Senator from Utah has brought up—the cut, cap, and balance bill—the bill he has been so articulately describing and advocating. That is the only bill.

They say this is senseless. Well, do you have anything that raises the debt ceiling and does something about the debt of America? Does anybody else in the Senate? Or, if they bring it up, will they be blocked from bringing it up? I don't see it. The only legislation is this legislation. It is not senseless. It is very significant.

When I came to the Senate the first year in 1997, we voted on an amendment to balance the budget, a constitutional amendment. We thought the votes were there to pass it, taking all the people who voted for it and when they said they were going to vote, there were enough votes to pass it, it appeared, and at the last moment several Senators changed their vote and it only got 66 votes. Had it had 67, it would have gone to the States. I am convinced that balanced budget amendment would have passed. Had it passed, we wouldn't be in the financial crisis we are in today. Now that is a fact, I believe.

I don't think this is a senseless process. I believe people—if they don't agree with this legislation, if they don't agree with it, let's hear why. But to come down and trash it—trash the Members of the House who voted for it, trash the American people——

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I thank the Chair and ask unanimous consent to have 1 additional minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. To inquire, was there a time limit on this?

The PRESIDING OFFICER. There was a time limit earlier, and it was 5 p.m. to 8 p.m. equally divided, and now a Member of the other side is here. All the remaining time has expired for the minority.

Mr. SESSIONS. I thank the Presiding Officer for his courtesy. I would say, forgive me if I am a little bit offended. I don't think it is wrong to be offended when the majority leader walks in here and says a piece of legislation that is critical, I believe, to the future of America is senseless, not worth discussing. He changes his mind entirely and is going to file a motion. I guess he figures he will have the majority Members of his party who will stick with him and kill off the legislation tomorrow morning. I think it is a very valid piece of legislation, an important piece of legislation, and the only piece of legislation in the Senate that would raise the debt ceiling. I think it is worthy of respect, it is worthy of full debate, and ought not to be demeaned in the way it has.

I respect my friend, the majority leader. I am sure it is a frustrating job and every now and then you kind of say things maybe you wish you hadn't, but I don't think this is a senseless piece of legislation. I think it is important and worthy of the greatest consideration in the Senate.

I thank Senator LEE for his efforts to promote it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I rise tonight to discuss the so-called cap, cut, and balance legislation that has come to us from the House of Representatives.

Congress is a coequal branch of the Federal Government. I have always believed it is a forum for informed, bipartisan debate of public policies that we all agree should help us achieve greater equality, opportunity, and treatment under the law, while nurturing and caring for our young and vulnerable, producing well-paying jobs, and investing in the future. That is why I have established good working relationships with my colleagues in both the Senate and the House and on both sides of the aisle. Unfortunately, this legislation abandons each of these principles.

The challenge facing Congress today is urgent. The stakes are extremely high. Congress must raise the debt ceiling to fulfill our commitments and take meaningful steps to reduce our deficits and debt. However, the policies needed to achieve these goals cannot be negotiated at the expense of the safety net that our seniors, children, working-class, long-term unemployed, and minority communities depend upon, nor should they come at the cost of good government.

The House legislation falls far short of what is needed. It makes no pretense to partisanship. On the contrary, it is a model of extreme bipartisanship. Moreover, it threatens to turn a recession into a depression. It will cut, cap, and kill Medicare, and it will leave millions of the Nation's sick, disabled, poor, long-term unemployed, and elderly to bear an unreasonable share of burden of deficit and debt reduction. These are our citizens who are already struggling. Meanwhile, the ''cut, cap, and kill'' bill would protect and defend the tax havens and shelters of the wealthiest.

The balanced budget amendment portion of this legislation would do even more long-term harm. It would make future periods of economic weakness worse and restrict our ability to respond. Even though we all know it is not a part of the regular Federal budget, it would use Social Security revenues and spending as part of the formula to determine whether the Federal budget is in balance and, if not, Social Security would be subjected to the same cuts as other Federal spending. We cannot forget that an important reason Americans expect us to fix our debt and deficit is to preserve and protect their Social Security and Medicare benefits.

I will continue to work to preserve our Nation's social safety net and seek a balance between raising revenues and cutting spending in which all Americans contribute to the solution.

That said, I will oppose the House bill because it will not do any of that. This legislation was quickly and poorly considered. It leaves the vulnerable exposed to harm and seeks to weaken Congress's power to govern. I cannot support it.

Thank you, Mr. President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of Colorado. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are on the motion to proceed to H.R. 2560, with time allotted to the majority.

Mr. UDALL of Colorado. Mr. President, I wished to come to the floor this evening to join a number of my colleagues from both sides of the aisle who are concerned about the Federal budget and our ever-increasing deficits and debt.

But today I am also speaking on behalf of the 4.5 million Coloradans who are worried we will not have the discipline to do anything about it. They know our great Nation will not win the global economic race unless we take some responsible action on the floor of the Senate and soon.

I have to say, I do not think the debate we have been having offers them a whole lot of solace. I say that because instead of getting to work on the bipartisan Gang of 6 deficit reduction plan, which draws from the President's bipartisan fiscal commission, headed by—I have to say this—two true American patriots, former Senator Alan

Simpson and North Carolinian Erskine Bowles, instead of getting onto that plan and the substantive proposal it makes, we are debating what looks to be a bumper sticker campaign gimmick called cut, cap, and balance. I have a hard time even saying it.

But I have to say, I have spent a good deal of time analyzing budget tools. After all, I was one of the first—and one of currently only a few—Democratic Senators who signed on to a balanced budget amendment to our Constitution this Congress.

I have also been fighting for many years for other smart budgeting tools, including pay-as-you-go budgeting, a line-item veto, and a ban on earmarks, which would help reduce waste and rein in Federal spending.

But let me be clear that cut, cap, and balance is not about balancing the Federal budget because when we read the bill, it becomes clear it is simply about ideology. While the name of the bill seems reasonable enough—it is conveniently designed literally to fit on a bumper sticker—the language of the bill does not represent a balanced approach to deficit and debt reduction, and for that reason alone I cannot support it.

As I said, I have supported the idea of a balanced budget amendment, even though a number—maybe I should say most—of our caucus has opposed the idea. However, the balanced budget amendment contained in cut, cap, and balance is not about balance. It is about locking in—if we look at it—special interest tax breaks for corporations and the wealthy, which would then force Draconian program cuts that would harm our Nation's middle class, not to mention the most vulnerable in our communities all across our country.

I have to say, this is not a balanced way to pursue deficit reduction. It makes a balanced budget nearly impossible to achieve when we get into the guts of this idea because it ties literally one hand behind our back by preventing the Congress from closing wasteful special interest tax breaks.

In addition, the bill in front of us holds the increase in the debt limit hostage. The debt limit needs to be raised by August 2 to avoid a first ever government default on our debt obligations. Cut, cap, and balance dictates that the debt limit cannot be increased until Congress approves a constitutional balanced budget amendment.

Even if one is the most optimistic person in the world, a scenario for passage, ratification, and implementation of a balanced budget amendment shows it is unlikely to take effect for at least 10 years—10 years—not 10 days, 10 years.

I have always maintained that a balanced budget amendment to the Constitution—which, again, I wish to mention I support—should be a backstop put in place only after we have made the tough decisions about reducing our spiraling deficits in the here and now.

If we were to tie our Nation's obligations to pay its bills to the passage of a one-sided and partisan balanced budget amendment, that would be bad enough as it is. But cut, cap, and balance would also lead to severe—severe—cuts in Social Security and Medicare, and it would actually lock in billions of dollars in tax breaks currently in our Tax Code which benefit the wealthiest citizens as well as Big Oil and corporations that have spent decades shipping jobs overseas.

This is such an egregious proposal that I have a sneaking suspicion it was not actually designed to pass the Senate. I believe it was designed to be a campaign gimmick because it certainly does nothing to address the problems we face right here and now, which is the looming default of our government, the U.S. Government.

Let me be clear—and I think the public has begun to understand this—raising our debt limit is not about future spending or paying for more government; it is about paying our previous bills. Business leaders, economists, rating agencies, and especially Treasury Secretary Geithner have told us our credit rating, were we to default, would take years to rebuild and that our country would never be the same if we were to default on our debt.

You know this, Mr. President. You are a businessman. We cannot ask for a do-over, a mulligan, if we default on our debt. We cannot say: Oh, we were just kidding. This is truly the real deal.

I wish to share some ways we would be directly affected by a government default. Paychecks for soldiers in Afghanistan and Iraq and at bases around the world conceivably would not go out. FAA towers could shut down. Border crossings could close. Operations at the FBI and the CIA would be put at risk. Safety inspections of the food we eat and the cargo that enters our ports could halt.

The resulting spike in interest rates would ironically make our debt even harder to tackle because each 1-percent rise in interest rates alone would result in $130 billion in increased interest payments on our national debt each year.

Perhaps most important, hard-working American families would also feel the crunch. A spike in interest rates would effectively force a tax on all Americans and American businesses due to increased consumer costs. As important, failure to raise the debt limit would lock up credit markets because the United States would no longer be seen as a reliable credit risk.

Coincidentally, yesterday, an important consumer protection law, which Senator LUGAR and I introduced and passed—and the Presiding Officer helped us with on the floor last year—went into effect. It provides Americans with free access to their credit scores, which is so important to understanding their own credit risk.

FICO—this is some good news in a day that has a few dark clouds hanging over it—FICO has estimated as many as 500 million credit scores will be given to Americans for free each year because of this important bipartisan law.

In working on this legislation, I learned a lot about credit scores: what they mean, how they are calculated, and how critical they are to economic success. But—and I am tying this back to our discussion today—it got me wondering, what would America's credit score look like if we defaulted on our debt? Nearly two-thirds of a credit score is based on an individual's total debt and payment history.

So here is how I think our great Nation would score if we do not raise the debt limit by August 2. We all know our debt is spiraling out of control. That is demerit No. 1. But if we now also are unwilling to pay our debts—demerit No. 2—we will be left with the credit score of a deadbeat.

I do not think that is the way we see ourselves or want to see ourselves in the 21st century's global economic race. We want to be at the head of the pack. We want to win that race. But to see ourselves as a deadbeat, that is not what America represents to me. It certainly is not the way Coloradans see us.

The people see this very clearly. They are ahead of us. They understand the risks we face. I wish to share a couple letters that Coloradans got into my hands just this last week.

Sarah Jane wrote me last week, and she was to the point. She said:

> Dear Senator, I am furious about the games being played with the debt ceiling. This is really abusive to this country.

Another Coloradan, Nicholas, sent me an e-mail that said:

> Dear Senator Udall, Republicans are calling for big cuts to vital programs and refusing to increase revenue. This is lunacy. As a native Coloradan, I and most others here work for a living. We don't own yachts, planes, or mansions. The thought of Republicans gutting the social safety net in order to prevent millionaires and billionaires from paying a little extra tax makes me wonder what we really value in this country.

I could not agree more. We have some tough choices to make, but some Members of Congress are so lost in their ideological rhetoric that finding an agreement on our deficits and debt seems out of reach. It feels to me—I truly do not want to say this, but it feels to me as if some of our colleagues would be perfectly fine with shutting down the Federal Government out of the belief it has grown too large. They believe a catastrophic shock to the system is the only remedy.

But I have to say, our fiscal imbalances are not caused by the things they keep saying they want to cut. Foreign aid, Federal salaries, and other programs are a tiny percentage of overall spending. In fact, Appropriations Chairman INOUYE, the dean of the Senate, the President pro tempore of the Senate, noted last week that ''in constant dollars, adjusted for population growth, non-defense discretionary

spending is at the same level in Fiscal Year 2011 as it was in Fiscal Year 2001, when the Federal Government ran a $128 billion surplus.''

The fact is, our fiscal imbalances are caused by three historical irregularities: record low revenues, an increasingly aging population, and heightened security needs in the wake of September 11. They each demand thoughtful and balanced solutions, and only a bipartisan deal will get us those balanced solutions.

I have to say, no matter how much bloated rhetoric we hear, there is one simple fact; that is, we are all in this together. But it seems to me often—and unfortunately—we are in the same canoe paddling furiously upstream away from the waterfall behind us off our stern, but half our crew has thrown their paddles overboard in protest.

I do not get it. I do not understand it. What is so agonizing is that we have a bipartisan solution right in front of us. As I mentioned at the beginning of my remarks, I was thrilled to see the Gang of 6 this week report a responsible, balanced, and very bipartisan agreement. I do not agree with every aspect of it. I do believe, however, that the plan would responsibly reduce our debt and protect our middle class, while also allowing our economy—not only allowing but incenting our economy to grow.

This plan has already received bipartisan support—not just here but across the country. It is my feeling rather than arguing we ought to be acting on those recommendations. Many of us just want to get to work. It is hot here. We have taken our jackets off and can roll up our sleeves. I know there are Members on both sides of the aisle who share that sentiment even if others here are demanding they remain quiet about it.

There is no question that the fiscal challenges in front of us demand a bipartisan solution, but the clock is running, the sand is rapidly running out of the hour glass, and we have to get to work on making the necessary changes to get our fiscal house and its foundation in order.

Frankly, some issues should rise above partisanship, politics and campaigns—our country's economic and national security. By the way, the two are linked. Secretary Gates and Admiral Mullen—the Presiding Officer and I serve on the Armed Services Committee—made it very clear that they see one of our biggest threats as the country's fiscal situation. A broke country is going to be a weak country. So our economy and national security fall in the category that ought to be above politics and partisanship.

Cut, cap, and balance is wrong for our country. It represents more divisiveness, way too much gamesmanship, and more politics. Let's listen to our constituents. I shared letters from two of them from my State of Colorado who are pleading with us to get to work and focus our attention on the sensible, bipartisan Gang of 6 plan.

Let's combine it with a debt limit increase to ward off default and work together and pass it into our laws before our national credit rating is downgraded and it damages our chances of winning the global economic race.

That is what Coloradans are expecting of me, and that is what I expect of the 100 of us who are so fortunate enough to serve in the Senate. I am not being dramatic. I am not a particularly dramatic individual. But I have to tell the Presiding Officer and my colleagues that I think nothing less than the fate of the U.S. economy hangs in the balance.

I am willing to stay here day and night, weekends, holidays, to help put a long-term balanced and bipartisan plan in motion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

TRIBUTE TO BRUCE SUNDLUN

Mr. WHITEHOUSE. Mr. President, I wish to say a few words about the debt ceiling that is rapidly approaching. But on this particular day, I cannot come to the floor and speak about anything without just making one, I guess I would say, note of personal privilege; that is, that today is a particularly sad day in my home State of Rhode Island because one of the great Rhode Islanders has passed away.

Former Gov. Bruce Sundlun, whom I worked for for many years and formed a very devoted affection for has died peacefully at home with his family after one of the most accomplished and eventful lives in Rhode Island history.

I know my senior Senator, JACK REED, and I will be back on the floor at a later time to give Gov. Bruce Sundlun his proper due and recognition. But for all he has meant to me, for all he has meant to our State of Rhode Island, for all he has meant to the people whose lives have been made so much better or who have been protected from very bad outcomes by his courage and by his determination, I simply could not overlook that at this point. So more will follow on my dear friend, Bruce Sundlun.

So to the matter at hand. Less than 2 weeks from now, our Nation is going to hit its statutory borrowing limit, and it may begin, for the first time in its history, defaulting on its obligations.

Unless we act very soon, the Treasury of the United States of America, long the issuer of the safest and the most conservative securities in the world, will simply run out of money. Social Security checks, as the President has already said, would be at risk. Millions of American families would suddenly lose their household income. The Treasury would have to suddenly stop paying more than 4 out of every 10 Federal dollars, choking off all the economic activity supported by those funds.

Private sector projects across the country that depend on Federal dollars or Federal permits or Federal regulatory approval, all would grind to a halt—a catastrophic triple whammy on our economic activity.

In addition, an increase in interest rates would likely freeze investments and cause the financial markets to plummet. So reaching the decent limit will not just put us back into recession, it would risk economic calamity. With the stakes so high and with time so short, it is unfortunate that the House Republicans who created this completely unnecessary crisis have sent us this so-called cut, cap, and balance bill.

This bill, which cuts no tax loopholes, not one, and puts no cap on corporations offshoring jobs or earnings and dodging U.S. taxes, would do one thing: It would kill Medicare. Consistent with the Republican 2012 budget, this bill puts the costs of deficit reduction right down on those who can least afford it: senior citizens, the disabled, and our children.

The cut, cap, and kill Medicare plan the House Republicans have proposed would begin with steep cuts to Federal programs in 2011, while we are still in this recession, slashing domestic spending by over $111 billion, and eliminating 700,000 jobs from our economy when we need them the most.

It would also require immediate cuts to social safety net programs likely reducing—or eliminating even—student loans, Pell grants, school lunches, Medicaid, and food stamps, some of the most important programs to families who are struggling to get back on their feet during this prolonged period of high unemployment. This is simply unacceptable.

The second part of the cut, cap, and kill Medicare bill would limit Federal spending beyond 2012 to levels significantly lower than during the Reagan Presidency. In fact, our Nation has not seen spending at those low levels since 1966. Mr. President, 1966 was a time when only 9.2 percent of the population was retired and drawing benefits, compared with 12.9 percent today.

So the effects of those spending levels would be even harsher. The cap on Medicare and Social Security makes no adjustment for the $2.5 trillion of Social Security reserves that Americans have paid into that system, that the government then went and borrowed. It makes no adjustment for that being their money or for the aging population that we are experiencing.

So with a fixed cap, and baby boomers retiring in greater numbers, the Republican plan forces devastating cuts to Social Security and Medicare benefits. There is simply no other way. It would address our deficit in the worst way possible, by taking an axe to the retirement programs on which tens of millions of retired Americans rely and which most every working person in America looks forward to.

For ordinary Americans, this approach is wrong. Frankly, it is unthinkable, although it is the goal of a few determined extremists who are

driving things within the House Republican Party.

Finally, the cut, cap, and kill Medicare bill would hold the debt limit hostage to an extremist constitutional amendment that has been widely criticized, even by many responsible voices on the right. If this dangerous constitutional amendment were to pass, the Congress of the United States would be unable to respond to an economic or national security emergency without steep supermajority votes, giving even more leverage to small extremist factions in Congress, as if it is not clear that is already not too much of a problem.

As dangerous, this constitutional amendment—this is hard to believe—this constitutional amendment would make it easier to cut Medicare and Social Security benefits than to take away tax subsidies from Big Oil, from offshoring corporations, and from billionaires. It would make it easier, as a matter of law, to cut Social Security and Medicare benefits than it would be to go after these special interest corporate tax loopholes and the gimmicks that allow billionaires to pay lower tax rates than truck drivers in this country.

It builds a constitutional preference for corporate and special interest loopholes into our Constitution, a Constitution renowned around the world for its commitment to equality. Into this great document that has shown the light of equality around the world, we would build a preference for corporate special interests over working people and the retirements they count on.

Constitutional amendments traditionally move this country forward. This would be a colossal step back. In summary, adding all those different features of the cut, cap and kill Medicare bill together, the Republicans in the House would require such severe spending cuts that the only way to achieve them—the only way to achieve them—would be to, in fact, get rid of Medicare as we know it and slash Social Security benefits for seniors.

It would hurt those who depend on government the most, while giving special protection to special interests and corporations with tax loopholes and subsidies that permit them to pay lower tax rates than middle-class families—in some cases, with some of our most profitable corporations—no taxes at all. That is what gets protected.

House Republicans know their cut, cap and kill Medicare plan has zero chance of passing the Senate. It is not going to happen—not now, not ever. It has already drawn a veto threat from President Obama. Nevertheless, as this deadline looms closer and closer, with those terrible consequences portending, the House Republican extremists have forced this piece of political theater while ignoring serious and constructive proposals for deficit reduction such as Budget Committee chairman KENT CONRAD's plan, which would reduce deficits by $4 trillion, more than the House's budget plan. We actually do better at solving the deficit than they do. But we do it with every dollar in spending cuts matched by a dollar in new revenue from closing tax loopholes and tax gimmicks. This plan would stabilize the budget and would reassure the financial markets, and would do so without cutting Social Security and Medicare benefits on which our seniors rely and which all working Americans are counting on. It is one of the basic freedoms we have as Americans—to know that that is waiting for us.

I was proud to introduce a resolution earlier this month which would express the sense of the Senate that ''any agreement to reduce the budget deficit should not include cuts to Social Security benefits or Medicare benefits.'' I am grateful to Senators BLUMENTHAL, SHERROD BROWN, MERKLEY, FRANKEN, BOXER, and GILLIBRAND who have joined with me on the resolution, and I invite all of my colleagues to do the same.

The Conrad budget proves that we need not attack Medicare and Social Security to deal with our deficit. His budget is living proof that there is no reason to attack Medicare and Social Security to get through our deficit situation. That attack on Medicare and Social Security is a willful and unnecessary act by the Republicans.

Well, Rhode Islanders, in increasing numbers, have been writing to me urging me to continue fighting to preserve these retirement programs, to preserve this infrastructure of American freedom. Time is running short, and Americans are counting on their elected representatives to do the right thing. It is time to do the right thing.

Let me close by reading a piece from an editorial in The Economist magazine. The Economist is a very conservative publication, and it is very much in favor of free markets. I would say, by and large, it is a Republican journal. Here is what The Economist said about the situation we are in now:

> The sticking point is not on the spending side. It is because the vast majority of Republicans, driven on by the wilder eyed members of their party and the cacophony of conservative media, are clinging to the position that not a single cent of deficit reduction must come from a higher tax take. This is economically illiterate and disgracefully cynical . . . even Ronald Reagan raised taxes when he needed to do so. And the closer you look, the more unprincipled the Republicans look. Earlier this year, House Republicans produced a report noting that an 85 percent to 15 percent split between spending cuts and tax rises was the average for successful fiscal consolidations, according to historical evidence. The White House is offering an 83 percent to 17 percent split (hardly a huge distance) and a promise that none of the revenue increase will come from higher marginal rates, only from eliminating loopholes. If the Republicans were real tax reformers, they would seize this offer. Both parties have in recent months been guilty of fiscal recklessness. Right now, though, the blame falls clearly on the Republicans. Independent voters should take note.

So it is not just Democratic Senators coming to the floor to point out that the crisis we are at is an unnecessary one. It is a manufactured crisis, a crisis driven by extremism, and it is a crisis that threatens the survival of Medicare and Social Security—two cornerstone programs in the economic security and in the freedom of ordinary Americans.

I yield the floor.

MORNING BUSINESS

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ELAINE HAYS

Mr. MCCONNELL. Mr. President, I rise today to honor Mrs. Elaine Hays, whose story has been chosen to be recorded as part of the London, KY ''Living Treasures'' project.

Born in Elkhorn City, KY, on March 19, 1924, Mrs. Hays has lived in and been a part of the Kentucky community her entire life, and has called London home since 1949. She is the granddaughter of Austrian and German immigrants, and even has one ancestor who was on the McCoy side of the famous Hatfield-McCoy feud. Growing up in the Floyd County community of Betsy Layne, Mrs. Hays saw firsthand the development of the coal mining industry, as well as the devastating effects of the Great Depression.

After receiving her degree in home economics from Western Kentucky University, Mrs. Hays, sister to three war veterans, opened and subsequently ran a cannery at the Belfry High School in Betsy Layne where she was already working as a home economics teacher. Mrs. Hays wanted to help both the Nation and the families of Betsy Layne during the war by preserving food.

Mrs. Hays married her husband Earl in 1947 and taught alongside him at Belfry High until 1949. After an extensive interview process, The Hayses were hired by Sue Bennett College as teachers and program developers. Mr. Hays was to set up and run the college's farm which supplied food for the college dining hall, while Mrs. Hays was to develop a home economics program. In later years, Mrs. Hays became a ''first lady'' of sorts when Earl was chosen to become president of the college, a position he filled from 1958 to 1985. In between teaching and raising her two sons, Jim and Lon, Mrs. Hays still found the time to entertain students and other guests of the college. The eventual closure of Sue Bennett College was a somber day for Mrs. Hays, and her family alike, but its influence on their lives has been unforgettable.

Mrs. Hays retired in 1998 after working in the education field for 55 years.

After Earl's death in 1999, her retirement has been made happier by her three grandchildren.

Kentucky is lucky to have women such as Mrs. Elaine Hays who put aside their own needs in order to better serve their family and their community. It is an honor to record Mrs. Hays' story, for it is a story of an outstanding Kentuckian.

The Laurel County-area newspaper the Sentinel Echo recently published an article detailing the life, accomplishments, and contributions of Mrs. Hays' life and career. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

[From the Sentinel Echo, June 22, 2011]

LONDON'S LIVING TREASURES: PART 4

The last installment of the London Treasures project is the story of Mrs. Elaine Hays, who shares rich memories of her mountain heritage and her life as the president's wife at Sue Bennett College. Mrs. Hays is a very faceted, elegant woman who has spent her life learning and teaching others.

''I am Elaine Hays, oldest child and only daughter of Lou and Elizabeth Weber Roberts. My three brothers and I spent our childhood in the coal mining areas of Pike and Floyd counties. We all have a strong sense of home, our origins and a strong loyalty to family.

I was born on March 19, 1924, in Elkhorn City, Ky., on an island in the middle the Russell Fork of the Big Sandy River. My grandmother Ida Eiler Weber, an Austrian emigrant, ran a hotel there for tourists and mining officials. She came to New York City and met Thomas Edward Weber, whom she later married. Tom was from Magdeburg, Germany. As he read, wrote and spoke several languages, he was hired by large coal companies to meet the boats at Ellis Island and hire immigrants to work in the coal-fields of Ohio, Virginia, West Virginia and, Kentucky. He became a mining superintendent and many of the miners followed him from one place to the next; Elkhorn City being the last. Mamaw, as we called my grandmother, was a wonderful cook and loved to dance, especially polkas and waltzes. My grandfather traveled a lot and was an avid reader. He kept us supplied with books and piano rolls for the player piano. My mother sang beautifully and sang for audiences at the local movie theatre while they were changing the old movie reels.

My parents married in Elkhorn City in 1923. My father, Lou, was the son of Ricely and Caroline Ratliff Roberts. His mother died after the birth of her eleventh child, a sad fate of many mountain women. Grandfather Ricely was primarily a logger. He and his older sons would clear ''new ground'' and raft the logs down the Big Sandy River to Catlettsburg or Ashland. When I was 8 years old, I rode horseback with him to visit his family. He lived in a big, two-story log house. My father's great-grandmother was Cherokee and his grandmother was Maryetta McCoy Roberts, of the infamous Hatfield-McCoy feud.

My dad had a great respect for women and believed they should be well-educated and work for equal wages. My mother owned a grocery store and eventually get into the restaurant business and he supported her in those efforts.

The first 10 years of my life there was always one, sometimes two, of Dad's sisters living with us and going to high school. In the mountains during the 30s, high schools were only in county seat towns or larger towns. Children living up creeks and hollows had to live away from home to go to high school.

We moved from Elkhorn City to Hellier, a dusty little mining village. We played in polluted creeks, catching minnows and crawdads. We roamed the nearby hills. We also picked up every disease, including diphtheria. In Hellier, we saw miners go to work before daylight and return after dark, always with carbide lamps on their caps. I was impressed with the big commissary owned by the coal company where miner's families purchased food, clothing and household goods. My mother told me we couldn't afford to trade at the company store.

We moved to Betsy Layne in Floyd County when I was in seventh grade. Betsy Layne was a nice community with two hollows where there was a big mine and where the miners lived. It was owned by the Pittsburgh Coal Company. One excellent thing that mining companies did was to support the school programs. At Betsy Layne, the emphasis was music. We had music every day through the eighth grade. The high school had band, orchestra, girl's glee club, men's glee club and various trios and quartets. Athletes all participated in the glee club.

Many evenings, our band director gathered the neighborhood band members and came to our home. We played our instruments and sang. Mother provided refreshments. Betsy Lane had been our favorite place to live. I was greatly influenced by my family's love of music and their heritage. When I was a teenager, my grandmother moved to Brooklyn and I visited her there in the summers in the 1930s. She took me to Radio City, Statue of Liberty, Battery Park Aquarium, Metropolitan Museum of Art and History and to many ethnic restaurants.

My most formative years were in Betsy Layne. It was during the Depression and there was so much unemployment. My dad always had a job, but the whole family had to work to make ends meet. We didn't have a car, but travel was convenient as there were four passenger trains a day that stopped at Betsy Lane. My brothers and dad raised a big garden and mother canned and preserved food. I helped string beans and thread them on a string and hung them to dry for ''shuckie'' beans. We hung them to dry rather than drying them flat. We had a cow and the boys cared for her and did the milking. I learned early how to churn and make butter and cottage cheese. Mother shared the milk from the cow with less fortunate neighbors. Mother was a great cook, but didn't cook as most mountain women did. She used cookbooks and measured ingredients. She taught me basic cooking terms and at 12 years old, I could cook a simple summer meal that would probably be green cooked with new potatoes on top, slaw and cornbread. We seldom fried anything. Mother broiled meat, except chicken, which she fried. In November and December, the making of fruitcakes was a family project. My brothers cracked and shelled pecans and Mother and I cut up candied fruits. I have continued the fruit cake tradition and have sent them to my brothers for Christmas for over 50 years—Mother's recipe, of course. She had the newest kitchen tools just as my grandmother did always and served food attractively and used parsley to garnish it. It was my job to set the table and make it look pretty and I still enjoy doing that. My mother was a great influence in choosing my college major of home economics. In 1982, I wrote a cookbook called ''Along the Way'' that had recipes from three generations of my family and those from many friends as well. The book has travelled through several generations since that time.

My brothers had lot of chores and all of us developed a strong work ethic in those years. The boys would dig ginseng and sell it for spending money. Though we all worked, we had good play times and there was always a baseball game going on. I played on the teams with the boys and we all played tennis on clay courts on the high school playground that was just across the street from our home.

Dad helped us daily with our studies, checked our homework and taught us what we didn't understand. It was very important to him that his children did well in school and he encouraged the neighborhood kids to attend school, too. In fact, he bought baseball equipment and kept it with him at the C&O depot where he worked. After school, the neighborhood boys would go to the depot and get the bats and gloves and play ball. During World War II, he received many letters from those boys telling him they were glad he had encouraged them to stay in school. Dad realized his dream of having college-educated children. I went to Western Kentucky University and majored in Home Economics. Gerald graduated from Annapolis Naval Academy and became a commander. Lon Edward graduated from Pikeville college, University of Virginia, and University of Louisville Medical School and practiced medicine. Gene had three years of college and became a county commissioner in Titusville Florida. My three brothers served in World War II, Vietnam and the Korean War.''

In the summer of 1940, I had just graduated from high school and Earl Hays, the man who later became my husband, just out of Berea College, came to Betsy Layne to teach agriculture. I would see him often when I was home on vacation from Western. The war years came along and he enlisted in the Army. In the meantime, I graduated from Western in 1943 and went to Belfry, Pike County, to teach home economics.

Belfry High School was fairly large and I taught 120 freshman girls. In the summer of 1944, I went to University of Kentucky to learn how to operate a community cannery. I didn't stay in Belfry, but went to Betsy Layne to teach home economics. The ag teacher and I set up and operated a community cannery. It was part of the national war effort to help families preserve their own food.

Earl came back from the Army to Betsy Layne in 1945. We dated a year and a half and were married December, 1947. Earl and I were very compatible and had the same values. He was one of the kindest and most thoughtful men that I have ever known. Our wedding was a community affair. Our students decorated the small church with fresh greenery and candles. Our friends gave the reception and Mother baked a gorgeous wedding cake.

We taught at Betsy Lane High School until 1949. It is interesting how we came to London and Sue Bennett College. Our Methodist minister was at the annual Methodist Conference and met Oscie Sanders, president of Sue Bennett. She said, ''Bob, I'm looking for an agriculture and home economics teacher and preferably a married couple.'' He said, ''I know just the couple.'' After much communication and several interviews, we were employed to come here. Earl was to supervise the college farm which supplied food for the college dining hall and I was to set up a home economics program.

Earl was born and raised in McKee, Ky., but his mother's family was from London. His grandfather, Creed Russell, had a general store about where Porters store is now and his grandmother, Ellen Hale Russell, named the post office at Lida and was postmistress there for many years.

In the early 1950s, we began attending University of Kentucky on Saturdays and summers. Earl's emphasis of study was horticulture and mine was child care and family living. We received our master's degrees in 1953.

Earl supervised the farm but gradually it and the dairy was discontinued. He became dean of students, taught basic horticulture classes and did public relations. I taught orientation, folk dancing, and later home economics courses. My favorite two courses were Marriage and Family and Appalachian Sociology—which I developed. These courses were the result of my taking graduate courses from UK in Appalachian history and culture. I continued taking classes in guidance and counseling and became certified in that field.

Our son, Jim, was born in 1954, and in 1957, our son Lon was born. Both of them later attended Sue Bennett College. Their background at Sue Bennett College served them well. Jim became a biologist, and Lon, a psychiatrist.

Earl became president in 1958 after President Oscie Sanders retired. Upon his retirement in 1985, he had served in that capacity longer than any other Kentucky junior college president. A new president's home was built in 1960, and we moved on campus.

Unkowingly, when Earl became president, I became an unofficial hostess. I enjoyed having students and visitors in our home. Some of our happiest Thanksgiving dinners were when foreign students were with us. We and our sons met and enjoyed many interesting people.

In 1977, I left Sue Bennett as a teacher and became the first guidance counselor for adult students at Laurel County State Vo-Tech. I enjoyed working with adult vocational students. It was as if I had made the full cycle in vocational education.

Earl retired in 1985 and we moved to our retirement home just off campus. The campus was a great place to raise our sons. They enjoyed the students and college activities and I appreciate the great influence Sue Bennett College had on our family.

After working in the education field for 55 years, I retired in 1998. My retirement years have been made happier with my three grandchildren. My oldest grandchild, Lon Stuart, and his wife Alina are both attorneys. Karolyn graduated from Centre College this year and he sister, Kathryn, will be a sophomore at Centre this fall. London has been a great place for my to continue living after my retirement and Earl's death in 1999.

Any time I'm in town, I see and chat with many former students. The greatest joy from teaching is seeing former students succeed. I always feel surrounded by friends.

I am still a part of a group of friends that we met the summer we came to London. Though the group has expanded and decreased through the 62 years. the original ones still have dinner together monthly. That's friendship.

I think one of the saddest days for my family and Laurel County was the closing of Sue Bennett College. Earl and I and my sons feel privileged to have been a part of the college, which played a huge role in the development of our entire region.

It has been a joy to have been acquainted with people who have worked hard to improve our area. The beautification efforts on Main Street and those who are working for historic preservation are just the latest examples. I truly love the people of London-Laurel County and have enjoyed making this our home since 1949.

WALL STREET REFORM AND CONSUMER PROTECTION ACT

Mr. LEVIN. Mr. President, we mark today the first anniversary of the Dodd-Frank Wall Street Reform and Consumer Protection Act. This law was Congress's earnest attempt to answer a vital question: How do we avoid a repeat of the financial catastrophe from which we are still struggling to recover?

I would like to describe the findings of our Permanent Subcommittee on Investigations report on the origins of the financial crisis, and how those findings informed my thinking and that of some of our colleagues about how to address Wall Street reform and design effective legislation. Then I would like to talk about a specific provision in the Dodd-Frank Act that my colleague, JEFF MERKLEY, and I—as well as Senator REED and others—fought hard to include in Dodd-Frank, and why I believe that provision has the potential to remedy key failings of our financial system that helped contribute to the financial crisis. And then a few minutes on how, at the law's 1 year anniversary, we are fighting a second battle, just as important as the first, on how to implement Dodd-Frank.

Many of my colleagues, and particularly Republican colleagues subscribe to the view that banks and the market know best. It is the same view espoused by those who told us in the 1990s that we should deregulate finance, give free rein to so-called financial innovation, and place our trust in the belief that the market was ''self-correcting.'' It was a big mistake, and it led us to the brink of economic disaster, when only a massive taxpayer bailout of large banks prevented a second Great Depression. I can't imagine how one could look at those events and come to the conclusion that we need relaxed regulations.

Our subcommittee reviewed literally tens of millions of documents, interviewed hundreds of witnesses, and held four lengthy hearings. We found that the financial crisis was the result of unchecked greed and conflict of interest up and down the line. Financial institutions that were too big to be allowed to fail engaged in reckless risk-taking in pursuit of massive, but short-term, profits. Government regulators and credit rating agencies, who were supposed to be the cops and independent referees to keep those reckless impulses in check, instead allowed or even encouraged them, in part because of their own conflicts of interest, which gave them incentive to go along.

Our investigation started upstream, with mortgage lending. We looked specifically at Washington Mutual Bank, which was the Nation's largest thrift when it began a campaign of aggressive subprime mortgage lending, even though the bank's top executives recognized there was an unsustainable bubble in housing prices. We found massive evidence of fraud in WaMu's lending, fraud that people inside and outside the bank recognized. But bank executives ignored the red flags, allowing WaMu to make its fraudulent and high-risk loans, package those loans, flooding the financial system with toxic mortgages, and led their bank to the largest bank failure in our history.

WaMu's primary regulator, the Office of Thrift Supervision, utterly failed to stop WaMu's reckless lending, despite identifying and logging nearly 500 serious deficiencies at the bank that they were supposed to regulate over 5 years, doing nothing about it. The OTS director—perhaps out of deference to the fact that fees from WaMu were the biggest single source of OTS's budget—referred to WaMu as a ''constituent,'' which surely would come as a surprise to his agency's real constituents, the American people, who counted on OTS to walk a beat—and not to toe the WaMu line.

WaMu and other banks were aided and abetted in their pollution of the financial system with toxic securities by credit rating agencies that failed to accurately and objectively assess risks. Our investigation examined ratings failures at Moody's and Standard & Poor's. The testimony of employees of the two firms, corroborated by internal documents, show that the rating agencies were more focused on growing market share for themselves and increasing revenues than in improving rating accuracy. In other words, their ratings failed in part because they relied for their revenue on the same banks whose products they were supposed to impartially assess, a conflict of interest that led to AAA ratings being given to shoddy securities.

Wall Street firms facilitated this whole chain of shoddy securities. They were hungry for mortgages, even poor quality mortgages, to package and sell, taking in large fees to underwrite these toxic financial assets. Some reaped huge returns by trading those assets for their own profit. The subcommittee found that some investment banks, such as Goldman Sachs, were engaged in conflicts of interest. Goldman misled its clients. It packaged mortgage-backed securities in an attempt to rid their own inventory of assets the firm's employees called ''junk,'' ''crap'' and worse. Goldman Sachs bet secretly against their own products, bet that they were failed, and not only sold these products to unsuspecting clients, but misrepresented their own interest in the transaction.

The four hearings we held in the spring of last year laid out this evidence in damning detail. Those hearings took place as the Senate was considering the legislation whose 1 year anniversary we are marking today.

We saw the impact of our hearings on the law. For instance, Dodd-Frank did away with the Office of Thrift Supervision, which failed so completely in the years leading up to the crisis. Dodd-Frank included important reforms in how credit rating agencies operate and attempted to resolve some of

the conflicts of interest that tainted their work by taking steps to keep financial firms from shopping for high ratings.

Dodd-Frank tackled abusive mortgage lending in many ways. We banned the ''liar loans'' that WaMu and others issued so recklessly to borrowers who provided little or no documentation of their ability to pay. We required banks to keep some of the mortgage-backed securities they issue on their books rather than making bad loans and selling 100 percent of them and the risk they carried. We prohibited banks from paying their employees more when they persuade home buyers to take out high-risk loans. We established a consumer protection agency with authority to police abusive lending.

Throughout the debate, I focused in particular on an issue I see as the connecting thread tat ran through our hearings and our report: rampant, unchecked conflict of interest. The subcommittee's work showed how time and again, institutions within the financial and regulatory system chose their own short-term interests over the interests of their clients.

We found a particularly vivid example in a $2 billion deal called Hudson Mezzanine issued by Goldman Sachs. Hudson was a collateralized debt obligation—that's a security that references or is backed by a pool of loans and other assets, in this case mortgage loans. In marketing Hudson to its clients, Goldman told clients that its interests were ''aligned'' with the buyers of the CDO, and that the CDO's assets had been ''sourced from the Street,'' in other words outside of Goldman. In fact, most of the assets backing Hudson were from Goldman's own inventory, assets the bank knew were risky and wanted to unload. And far from being ''aligned'' with its clients, Goldman's position was opposed to its own clients, because it held the entire short side of the CDO, making a $2 billion bet that Hudson would plunge in value. When it did, Goldman effectively took $2 billion out of its clients' pockets and made a handsome profit. And injecting those junk securities into the financial system did real damage to that system.

The question of accountability is important here. I have said before, it is up to the appropriate authorities, and not to us in the Senate, to decide whether those responsible for transactions such as Hudson should be punished. But what I can say is I think it is vitally important that those authorities address and resolve that question. That is why our subcommittee forwarded our report to law enforcement authorities. They have the job of providing the Nation with the accountability that so far has been lacking.

The congressional role is legislative. The amendment that Senator MERKLEY and I offered on the Senate floor, known as Merkley-Levin, codified the so-called Volcker rule, former Fed Chairman Paul Volcker's recommendation that we rein in proprietary trading by banks. Firms such as Lehman Brothers and Bear Stearns collapsed in part because their pursuit of short-term profit led them to risky trades that blew up in their faces. Merkley-Levin says that if you are a commercial bank protected by taxpayer-funded Federal deposit insurance, you can't engage in high-risk proprietary trading. Even if you are not a traditional bank, but because of your size, your collapse would damage the stability of the U.S. financial system. You are now required to adhere to certain capital requirements and other limitations.

Merkley-Levin also breaks new ground in the area of conflict of interest. It explicitly bans the kinds of conflict of interest we saw so vividly in Goldman's Hudson transaction. It prohibits firms from assembling an asset-backed security and selling it to clients while betting against that same security, acting not as a market-maker, but as an investor for its own profit. You are either for your client or you are for yourself.

We had to fight hard for Merkley-Levin's passage. When the Senate passed its version of Dodd-Frank, Republicans engaged in complicated maneuvers on the floor to block the Senate from even considering our amendment. But we succeeded in getting it included in the bill produced by the House-Senate conference committee, and despite intense lobbying by banks against Merkley-Levin, it is now law.

But the battle is far from over. Since passage, regulatory agencies have been working to turn the provisions of Dodd-Frank into detailed regulations and have been subjected to the same barrage of bank lobbying that accompanied our debate in Congress. Banks have spent more than $50 million so far this year lobbying to weaken Dodd-Frank.

Consumers and the American economy won an important victory one year ago today. But that victory will not be secure until Dodd-Frank has teeth—tough rules backed by conscientious enforcement. Some are pulling every trick in the book to slow these regulations and weaken their impact. But the success we had in passing Dodd-Frank shows that the powerful interests don't always win.

Supporters of reform made their voices heard a year ago, and today, they are working to ensure that Dodd-Frank is implemented forcefully. They are telling regulators—many of whom once subscribed to the notion that banks know best—that the American people will not allow a return to policies that so recently did so much harm. Just like we need a cop on the street to enforce the traffic laws, we need a cop on the beat on Wall Street. Anything less threatens a repeat of disaster.

Anything less will also damage confidence in our financial system, and we will not have a market that holds the confidence of investors and potential investors. That should be everybody's goal. The free market is incredibly important. We all depend on it for economic growth. But that market must be honest. That is in the interest of everyone. Whether you have invested in the market or thinking about investing in the market, that is in the interest of the American people. We are not talking about weakening the market—we are talking about strengthening it. And that is just what the Dodd-Frank Act can accomplish, if we implement it as Congress intended.

TRIBUTE TO HOSPITAL CORPSMAN SECOND CLASS JACOB EMMOTT

Mr. REED. Mr. President, today I pay tribute to an exceptional U.S. Sailor, HM2 Jacob Emmott, known as ''Doc Emmott'' to the marines with whom he serves. ''Doc'' was awarded the Silver Star medal on July 14, 2011, for his extraordinary bravery and service.

Petty Officer Emmott, a resident of Wakefield, RI, served as a platoon corpsman with Company C, 1st Battalion, 2nd Marines in Helmand Province, Afghanistan. On April 20, 2010, Petty Officer Emmott was on patrol with his fellow marines when they began receiving heavy fire from multiple enemy positions. One of the marines sustained multiple gunshot wounds and, with complete disregard for his own personal safety, Petty Officer Emmott rushed through enemy fire to aid the fallen marine. While tending to yet another fallen comrade, Petty Officer Emmott sustained a gunshot wound directly to his face, rendering him unconscious. After Petty Officer Emmott regained consciousness, he refused morphine in order to supervise the care of the other wounded marines. His courage and dedication to duty rallied the spirits of his squad mates as they were evacuated from the battlefield.

The Silver Star Medal is the third-highest military decoration that can be awarded to a member of the U.S. Armed Forces for valor while engaged in an action against an enemy. Petty Officer Emmott is clearly deserving of the Silver Star medal for his actions to aid his fellow marines at his own personal risk.

I join all Rhode Islanders in expressing deep appreciation and gratitude for Petty Officer Emmott's extraordinary commitment and service to our Nation. We also thank his family for their support and sacrifice. Congratulations and best wishes.

Mr. WHITEHOUSE. Mr. President, I rise today to commend Navy HM2 Jake Emmott of Wakefield, Rhode Island for his exceptional service to our country, which earned him one of our Nation's highest military awards for gallantry during combat. Last week, I had the honor of joining Jake and his family as he was presented with the Silver Star Medal for heroic acts that went above and beyond the call of duty.

On April 20, 2010, Mr. Emmott was serving as platoon corpsman with Company C, 1st Battalion, 2nd Marines in

Helmand Province, Afghanistan. That day, Mr. Emmott's squad was on combat patrol when it came under intense enemy fire. Upon seeing a marine in his squad fall from multiple gunshot wounds, he rushed through the firefight to provide first aid.

Mr. Emmott and other squad members proceeded to transport the injured marine to the casualty collection point, when a second marine was shot in the thigh. Mr. Emmott ignored the chaos around him and worked calmly to aid the second casualty. After stabilizing the second marine, Mr. Emmott was struck directly in the face by a bullet, which pierced his sinus cavity and just narrowly missed his carotid artery. The blow knocked him unconscious. His squad leader, who saw him get shot, thought he was dead.

When Mr. Emmott regained consciousness, he refused morphine in order to supervise the treatment of the injured marines. Despite difficulty speaking and choking on his own blood, he provided precise instructions to another combat lifesaver on how to administer aid to the injured. Then, despite excruciating pain, he managed to stagger to the medical evacuation helicopter, so that the other injured marines could be carried on stretchers.

Today I would like to offer my humble thanks to Mr. Emmott for his selfless service, leadership, and courage. We all admire his strength and willingness to put others before himself, especially as he faced his own life threatening injuries. He is truly an inspiration and role model for all Americans. At the young age of 22, he has already accomplished feats of excellence that few could do in a lifetime. I commend Mr. Emmott for his unwavering commitment to his comrades and to his country.

STENNIS LEADERSHIP PROGRAM

Mr. KOHL. Mr. President, some 9 years ago, the John C. Stennis Center for Public Service Leadership began a program for summer interns working in congressional offices. This 6-week program is designed to enhance their internship experience by giving them an inside view of how Congress really works. Each week, the interns meet with senior congressional staff and other experts to discuss issues ranging from the legislative process, to the influence of the media and lobbyists on Congress, to careers on Capitol Hill, and more.

Interns are selected for this program based on their college record, community service experience, and interest in a career in public service. This year, 25 outstanding interns, most of them juniors and seniors in college who are working for Democrats and Republicans in both the House and Senate have taken part.

I congratulate the interns for their involvement in this valuable program and I thank the Stennis Center and the senior Stennis fellows for providing such a meaningful experience for these interns and for encouraging them to consider a future career in public service.

I ask unanimous consent that a list of 2011 Stennis congressional interns and the offices in which they work be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Matthew Becker, attending the University of Mary, interning in the office of Senator John Hoeven

William Bergstrom, attending Harvard College, interning in the office of Senator John Hoeven

Kathleen Bouzis, attending the University of Wyoming, interning in the office of Senator Mike Enzi

Tyler Brandt, attending the University of Wisconsin-Madison, interning in the Senate Special Committee on Aging

Andrew Bunker, attending Wake Forest University, interning in the Office of The Speaker

Jessica Casperson, attending the University of Wisconsin-Oshkosh, interning in the office of Senator Herb Kohl

Kaitlin Chandler, attending Boston University, interning in the office of Senate Democratic Steering and Outreach Committee

Andrew Clauw, attending the University of Michigan, interning in the office of Representative Hansen Clarke

Todd Garland, attending Louisville Law School, interning in the office of Representative Geoff Davis

Sarah Gokey, attending Smith College, interning in the office of Senator Kent Conrad

Emily Holman, attending Miami University, interning in the office of Representative Tammy Baldwin

Mark Kauzlarich, attending the University of Wisconsin-Madison, interning in the office of Senator Herb Kohl

Aubrey Lauersdorf, attending the University of Wisconsin-Madison, interning in the office of Representative Tammy Baldwin

Alan Ledford, attending the University of Virginia, interning in the office of Senator Orrin Hatch

Anna McCracken, attending Elon University, interning in the office of Senator Jon Tester

Nicholas Muncy, attending the U.S. Air Force Academy, interning in the office of Senator Mike Enzi

Lilly Nottingham, attending Harvard University, interning in the office of Representative Mike Coffman

Andrew Podrygula, attending Middlebury College, interning in the office of Senator Kent Conrad

Hannah Postel, attending Middlebury College, interning in the House Committee on Foreign Affairs

Emily Risch, attending Minnesota State University Moorhead, interning in the office of Senator Kent Conrad

Jeff Swartz, attending The George Washington University, interning in the House Committee on the Budget

Allison Tilt, attending Georgetown University School of Foreign Service, interning in the office of Senator Jon Tester

Kim Touch, attending Northern Virginia Community College, interning in the office of Representative Don Young

Deana Veal, attending the University of Georgia, interning in the office of Senator Saxby Chambliss

Dan Wolgamott, attending St. John's University, interning in the office of Representative Tim Walz

NASA RECOGNITION

Mr. BROWN of Ohio. Mr. President, earlier today, in the early morning hours before sunrise, humankind once again touched the Earth after exploring the universe. On the day when 42 years earlier, Ohio's Neil Armstrong became the first human to walk on the Moon, I rise to honor the men and women of the National Aeronautics and Space Administration's, NASA, Space Shuttle Program on reaching the historic milestone of the 135th and final flight of the Space Transportation System, STS. I especially honor the men and women of NASA Glenn in Cleveland, OH, for their achievements with the Space Shuttle Program, thereby advancing the human exploration of space, driving scientific advances and technology development, and enriching the lives of all people throughout the United States and the world and inspiring our next generation of explorers.

The first firing of a hydrogen/oxygen rocket engine occurred in 1953 at the NASA Lewis Flight Propulsion Laboratory, now known as NASA Glenn Research Center. Early design work and testing of turbopumps, seals and bearings, main combustion chamber injectors, baffles, heat transfer testing, development of the electroforming process, and testing of nozzle shapes and lengths was all performed by NASA engineers in Cleveland, OH. These research and development activities led to the current design of the Space Shuttle Main Engine. Three space shuttle main engines combined delivers more than 37 million horsepower, the same amount of energy as 13 Hoover Dams.

NASA Glenn is also a leader in fuel cell research and development. Scientists performed vital research to improve the performance and efficiency of the fuel cells to generate electricity for the space shuttle. Today, that work continues as NASA Glenn is a leader in alternative energy, from fuel cells to wind turbines to batteries that are now changing the way Americans live and work.

In the 1970s and 1980s, NASA Lewis ran aerodynamic wind tunnel tests on scale models of the solid rocket boosters, orbiter and external tank, and complete scale models to gather data for the new Space Transportation System. Some of the models even had gaseous hydrogen-oxygen rockets and solid propellant booster rockets, which were fired in the wind tunnel to test their behavior during ascent. These activities helped NASA to catalogue important flight characteristics of the Space Shuttle for launch and landing.

NASA Glenn not only fostered the Shuttle program's achievements, but it also comforted its setbacks. After two unfortunate accidents—the *Challenger*, STS–51L, on January 28, 1986, and the *Columbia*, STS–107, on February 1, 2003—Glenn engineers performed many shuttle safety improvements and aided the return to flight.

And as the Space Shuttle Program progressed through breakthroughs and heartbreaks, numerous microgravity experiments have been designed, built, and operated by NASA Glenn and conducted on-orbit on the space shuttle. The results of NASA Glenn experiments have been used to improve fire safety, emissions reduction, energy efficiency, healthcare, and electronics.

On the ground Ohio's NASA engineers explored the universe with Ohio astronauts on-orbit. Nineteen astronauts from Ohio flew on the space shuttle, some multiple times. Former astronaut-turned-U.S. Senator John Glenn flew on STS–95, and STS–70, the ''All-Ohio Crew,'' flew in 1995 with four Ohio natives on the crew, and the fifth crewmember was made an honorary Ohioan.

As we congratulate NASA on the Shuttle Program and honor all those involved in its success, the true measure of the importance of the STS Program will be where NASA goes next.

I have had the privilege to meet many of the scientists, engineers, and workers at NASA Glenn. They are dedicated and compassionate, guided by the scientific patriotism that displays a nation's pursuit in understanding the world in which we all live.

The space shuttle has enabled the United States to continue its leadership in space, science, and technology. I am proud of NASA Glenn's role in the design and testing of the space shuttle, and especially of its leadership in numerous scientific experiments that have been conducted on the space shuttle.

I am confident that both NASA and the United States will refocus to continue to push the boundaries of science—fueling technology advancements and inspiring our children to become the next generation of scientists, engineers, and explorers. NASA Glenn and Ohio will continue to play a major role in that effort.

Our Nation is defined by the spirit of discovery, pushing westward on land, navigating the oceans, and sending humankind into what was once a mere vision seen only through Galileo's eye. We are a nation of explorers. And we all have a responsibility to safeguard that defining American spirit and to inspire a new generation of American explorers.

ADDITIONAL STATEMENTS

RECOGNIZING WAY WAY STORE

• Ms. SNOWE. Mr. President, it is always devastating when a business that has been part of the fabric of a local community closes, whether it is the drycleaner, the candy shop, or the grocery store. That was the case with the Way Way Store in Saco, ME, which closed its doors 8 years ago after nearly 80 years in business. However, due to the entrepreneurial spirit of a local couple, the Way Way Store has recently reopened, reinstating the original store's dedication to offering personal service and affordable products. Today I commend the Way Way Store for its grand reopening and discuss its remarkable history.

The Way Way Store was originally opened in the southern Maine town of Saco in the late 1920s by the Cousens family. Eugene Cousens constructed the store from handmade concrete blocks, an effort that resulted in the building being placed on the National Register of Historic Places. Today, the building's exterior retains its original red-and-white color scheme, and the original cash register still sits atop the counter. Through the 1940s, the Way Way Store was essentially a rest stop for travelers as it offered gasoline, clothing, outhouses, and food. Over time, the Way Way Store began to focus on selling candy and other foods and quickly became a popular local establishment.

Like many other established small businesses, the Way Way Store places a strong emphasis on family. The Cousens family owned the Way Way Store from the time that it opened until Peggy Tyrell and Catherine Cousens decided to close the store in 2003. Eight years later, Peter Scontras, a retired historian and schoolteacher, and his wife Bridget reopened the store last month to much acclaim, thus restoring a local landmark. They remain determined to honor the legacy that the Cousens left behind while adapting to ensure the store's success.

The Way Way Store has been something of an institution in Saco, and the reopening has provoked a strong positive response in the town. People who frequented the Way Way Store before it closed in 2003 are coming back to take in the atmosphere that harkens back to the mid-20th century and to enjoy the wide range of sweets that the store offers. By offering a multitude of traditional favorites like penny-candy and employing original ideas like a takeout ice cream window, the Scontras family has proved to be shrewd business owners, and the new Way Way Store has endeared itself to yet another generation of Mainers.

As many specialty shops fall to the wayside due to competition from larger chains, it is inspiring to see a small business rediscover success and continue its contribution to the local economy. People in the Saco area have expressed their gratitude to Mr. and Mrs. Scontras for reinvigorating a true gem in York County. I join them in thanking the Scontras family for the risk they have taken in opening a small business in this tumultuous economy and commend them on their hard work and dedication to their customers and to the Way Way Store's grand tradition.•

ISABEL, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Isabel, SD. The town of Isabel will commemorate the 100th anniversary of its founding this year.

Isabel was founded in 1911 and named after the daughter of a railroad agent. Located in Dewey County, it was a booming community in the early years when the town served as the last western stop on the Milwaukee railroad. Isabel became a home for settlers looking for a place to successfully raise livestock and farm. Today, the community of Isabel continues to carry on their strong agricultural heritage and grow their local businesses.

Isabel has been a successful and thriving community for the past 100 years, and I am confident that it will continue to serve as an example of South Dakota values and traditions. I would like to offer my congratulations to the citizens of Isabel on this landmark occasion and wish them continued prosperity in the years to come.•

MELLETTE COUNTY, SOUTH DAKOTA

• Mr. THUNE. Mr. President, today I recognize Mellette County in South Dakota. Mellette County will commemorate the 100th anniversary of its founding this year.

Mellette County was organized in 1911 and named after Arthur C. Mellette, the first Governor of the State of South Dakota. The county seat, White River, is home to the annual Frontier Days celebration and rodeo. In celebration of the centennial, the communities of Norris, White River, and Wood will be hosting many events to mark this important milestone.

Mellette County has been a successful and thriving example of South Dakota values and traditions for the past 100 years, and I am confident that it will continue that tradition. I would like to offer my congratulations to the citizens of Mellette County on this landmark occasion and wish them continued prosperity in the years to come.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 2553. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2595. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Carboxymethyl guar gum sodium salt and Carboxymethylhydroxypropyl guar; Exemption from the Requirement of a Tolerance'' (FRL No. 8880–5) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2596. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Walter L. Sharp, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2597. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Retail Foreign Exchange Transactions'' (RIN1557–AD42) received in the Office of the President of the Senate on July 18, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2598. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, (6) reports relative to vacancies within the Department, received in the Office of the President of the Senate on July 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2599. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Pittsburgh, transmitting, pursuant to law, the Bank's 2010 Statement on System of Internal Controls, audited financial statements, and Report of Independent Auditors on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards; to the Committee on Banking, Housing, and Urban Affairs.

EC–2600. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regulations Governing Fees for Services'' (RIN2140–AB06) received in the Office of the President of the Senate on July 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2601. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Required Warnings for Cigarette Packages and Advertisements'' (RIN0910–AG41) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC–2602. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standard; Montana'' (FRL No. 9440–6) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC–2603. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Revisions to Permits by Rule and Regulations for Control of Air Pollution by Permits for New Construction or Modification'' (FRL No. 9442–7) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC–2604. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Disapproval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standard; Wyoming'' (FRL No. 9441–5) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC–2605. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards; Revisions to ARSD Chapter 74:36:09 (PSD); South Dakota'' (FRL No. 9441–6) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC–2606. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standard; Colorado'' (FRL No. 9442–1) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC–2607. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standard; Utah'' (FRL No. 9442–2) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Environment and Public Works.

EC–2608. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Applicable Federal Rates—August 2011'' (Rev. Rul. 2011–16) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Finance.

EC–2609. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Determining the Amount of Taxes Paid for Purposes of the Foreign Tax Credit'' (RIN1545–BK40) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Finance.

EC–2610. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed export license for the export of defense articles, including, technical data, and defense services related to the sale of M60E4/MK 43 general purpose machine guns, accessories training and spare parts to the Colombian National Police in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC–2611. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Singapore for the manufacture of accessory products, fabricated/machined components and assemblies for various U.S.-origin aircraft, vessels and military vehicles in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–2612. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom for the manufacture of Joint Services General Purpose Masks (M50 and M51) in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–2613. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Labeling and Effectiveness Testing; Sunscreen Drug Products for Over-the-Counter Human Use'' (Docket No. FDA–1978–N–0018) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–2614. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Tobacco Products, Exemptions from Substantial Equivalence Requirements'' (Docket No. FDA–2010–N–0646) received in the Office of the President of the Senate on July 20, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–2615. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Requirements for Fee Disclosure to Plan Fiduciaries and Participants—Applicability Dates'' (RIN1210–AB08) received in the Office of the President of the Senate on July 19, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–2616. A communication from the Assistant Deputy Secretary for Innovation and Improvement, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Promise Neighborhoods Program'' (RIN1855–ZA07) received in the Office of the President of the Senate on July 19, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–2617. A communication from the Director, Retirement Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Customs and Border Protection Officer Retirement''

(RIN3206–AL69) received in the Office of the President of the Senate on July 19, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC–2618. A communication from the Chairman of the Federal Deposit Insurance Corporation, transmitting, pursuant to law, the Federal Deposit Insurance Corporation's 2011 Annual Performance Plan; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1228. A bill to prohibit trafficking in counterfeit military goods or services.

S. 1231. A bill to reauthorize the Second Chance Act of 2007.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit.

Cathy Bissoon, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Mark Raymond Hornak, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Robert David Mariani, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Robert N. Scola, Jr., of Florida, to be United States District Judge for the Southern District of Florida.

Clayton D. Johnson, of Oklahoma, to be United States Marshal for the Northern District of Oklahoma for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BARRASSO (for himself, Mr. ALEXANDER, Mr. KYL, Mr. WICKER, Mr. ROBERTS, Mr. INHOFE, Mrs. HUTCHISON, Mr. CORNYN, and Mr. GRASSLEY):

S. 1395. A bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. MENENDEZ:

S. 1396. A bill to amend title 31 of the United States Code to require that Federal children's programs be separately displayed and analyzed in the President's budget; to the Committee on the Budget.

By Mr. CARPER (for himself, Ms. SNOWE, Mr. MENENDEZ, Ms. COLLINS, Mr. COONS, Mr. WHITEHOUSE, Mr. BROWN of Ohio, Mr. REED, Mr. LAUTENBERG, and Mr. CARDIN):

S. 1397. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind; to the Committee on Finance.

By Mr. CASEY:

S. 1398. A bill to amend title 5, United States Code, to limit the number of local wage areas allowable within a General Schedule pay locality; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FRANKEN (for himself, Mr. DURBIN, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 1399. A bill to protect children affected by immigration enforcement actions, and for other purposes; to the Committee on the Judiciary.

By Ms. LANDRIEU (for herself, Mr. SHELBY, Mr. VITTER, Mr. NELSON of Florida, Mr. RUBIO, Mr. SESSIONS, Mr. COCHRAN, Mr. WICKER, and Mrs. HUTCHISON):

S. 1400. A bill to restore the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of Gulf Coast States, to create jobs and revive the economic health of communities adversely affected by the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, and for other purposes; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mrs. BOXER, Mr. BEGICH, Mrs. MURRAY, Mr. MERKLEY, Mr. WYDEN, and Mrs. FEINSTEIN):

S. 1401. A bill to conserve wild Pacific salmon, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN of Massachusetts:

S. 1402. A bill to amend the Marine Mammal Protection Act of 1972 to increase the maximum penalty for violating that Act; to the Committee on Commerce, Science, and Transportation.

By Mr. HARKIN (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr. LAUTENBERG, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. LEAHY, Mr. BENNET, Mr. FRANKEN, Ms. MIKULSKI, Mr. REED, Mrs. SHAHEEN, Mr. JOHNSON of South Dakota, and Mr. BEGICH):

S. 1403. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. ENZI):

S. 1404. A bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 1405. A bill for the relief of Guy Privat Tape and Lou Nazie Raymonde Toto; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL (for himself and Mr. REID):

S. Res. 234. A resolution relative to the death of William F. Hildenbrand, former Secretary of the Senate; considered and agreed to.

By Ms. MIKULSKI (for herself, Mr. SANDERS, and Ms. SNOWE):

S. Res. 235. A resolution designating 2011 as ''The Year of the Family Caregiver''; considered and agreed to.

By Mr. RUBIO (for himself and Mr. NELSON of Florida):

S. Res. 236. A resolution designating September 2011 as National Spinal Cord Injury Awareness Month; considered and agreed to.

ADDITIONAL COSPONSORS

S. 78

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 78, a bill to amend the Safe Drinking Water Act to protect the health of pregnant women, fetuses, infants, and children by requiring a health advisory and drinking water standard for perchlorate.

S. 119

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 119, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 299

At the request of Mr. PAUL, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 299, a bill 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.

S. 401

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 401, a bill to help Federal prosecutors and investigators combat public corruption by strengthening and clarifying the law.

S. 539

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 539, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 771

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 771, a bill to amend the Indian Gaming Regulatory Act to modify a provision relating to gaming on land acquired after October 17, 1988.

S. 807

At the request of Mr. ENZI, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S.

807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 975

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 975, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 1013

At the request of Mr. HATCH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1013, a bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

S. 1048

At the request of Mr. MENENDEZ, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1120

At the request of Mr. CARDIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1120, a bill to encourage greater use of propane as a transportation fuel, to create jobs, and for other purposes.

S. 1176

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1176, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1188

At the request of Mr. BROWN of Ohio, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1188, a bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government.

S. 1228

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1228, a bill to prohibit trafficking in counterfeit military goods or services.

At the request of Mr. WHITEHOUSE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1228, supra.

S. 1280

At the request of Mr. ISAKSON, the names of the Senator from Colorado (Mr. UDALL), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1280, a bill to amend the Peace Corps Act to require sexual assault risk-reduction and response training, and the development of sexual assault protocol and guidelines, the establishment of victims advocates, the establishment of a Sexual Assault Advisory Council, and for other purposes.

S. 1308

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1308, a bill to amend title 18, United States Code, with respect to child pornography and child exploitation offenses.

S. 1368

At the request of Mr. ROBERTS, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 1368, a bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin.

S. 1378

At the request of Mr. NELSON of Nebraska, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1378, a bill to ensure that Social Security and Tier 1 Railroad Retirement benefits are properly taken into account for purposes of determining eligibility for Medicaid and for the refundable credit for coverage under a qualified health plan.

S. 1392

At the request of Ms. COLLINS, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Tennessee (Mr. CORKER), the Senator from Georgia (Mr. ISAKSON), the Senator from Alabama (Mr. SHELBY), the Senator from Louisiana (Mr. VITTER) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 1392, a bill to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes.

S.J. RES. 17

At the request of Mr. MCCONNELL, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S.J. Res. 17, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 228

At the request of Mr. LAUTENBERG, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. Res. 228, a resolution expressing the sense of the Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 PM Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 11, 2001.

AMENDMENT NO. 476

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of amendment No. 476 proposed to S. 782, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO (for himself, Mr. ALEXANDER, Mr. KYL, Mr. WICKER, Mr. ROBERTS, Mr. INHOFE, Mrs. HUTCHISON, Mr. CORNYN, and Mr. GRASSLEY):

S. 1395. A bill to ensure that all Americans have access to waivers from the Patient Protection and Affordable Care Act; to the Committee on Finance.

Mr. BARRASSO. Mr. President, I come to the floor, as I have just about every week since the health care law has been passed, with a doctor's second opinion about the health care law. I have great concerns about the law that was forced through this Senate.

I come to the floor because it seems that the more Americans find out and learn about this health care law, the less they like it. A majority of Americans now in national polls say they want out. They absolutely want out.

Since October of 2010, the administration has granted waivers—waivers—to unions, businesses, insurers, and actually to whole States because they cannot afford the health care law's burdensome mandates.

The Secretary of Health and Human Services continues to release more waivers and did so again last Friday. They have now granted a total of 1,471 annual benefit limit waivers, and this has covered 3.2 million Americans.

That is why I come to the floor to introduce a bill that will allow every American—every American—to apply for a waiver from the President's health care law.

Under my bill, any American can submit a waiver application seeking relief from any or all of the health care law's mandates. All those Americans will have to do is simply show what unions and corporations have shown in order to get their waivers—nothing more, nothing less.

Waivers will be granted to individuals who show that the health care law is either increasing their insurance premiums or decreasing their access to benefits. That is all they have to show.

So far, this administration has ignored most Americans demand for a way out of the health care law, and Americans are looking for a way out of it. Instead, this administration has granted half the waivers—half the waivers—to people who get their health coverage through unions. Although those people represent a very small percentage of the workers in America, they got half of all the waivers. It is neither fair nor is it reasonable.

These are the same unions—the same unions—that lobbied for and supported the health care law. But now that they have actually read it and found out what is in it, even though it has been passed—too late now; we thought too late—but they have been getting waivers so they do not have to live under the mandates of the health care law.

We are talking about unions such as the Service Employees International Union. This is what they said about the health care law. These are people who lobbied for the health care law. Now they have found out what is in it, and they say to live under it would be financially impossible. A union that lobbied for the health care law now says it would be financially impossible to live under it.

It does not just apply to that union; it applies to Americans all across this great land. So I do not think any Americans should have to bear financially impossible costs because of the law.

The financially impossible mandates and elements of this bill have absolutely become more obvious to more Americans as they have taken the time to look at the rules and the regulations. That is why, frankly, this steady drip of waivers coming out of Health and Human Services—giving waivers to many of their friends—has become such an embarrassment for this administration and why they actually recently abruptly changed the rules.

In June, the Centers for Medicare and Medicaid Services announced that all employees and organizations that cannot afford the law's crushing mandates—and there are many—must jump through a new set of hoops. It used to be that they would get a 1-year waiver. Now all employers and organizations, even those that have already gotten a waiver, must apply for long-term waivers by September of this year. The long-term waivers will last all the way until 2014.

Instead of ending the waiver process, the administration should extend the waiver process to include all Americans. That is what my bill does. If not, families, companies, and organizations of all sizes will soon be hit with these crushing mandates.

Under the administration's current plan, employers will be forced to provide $750,000 worth of coverage to every employee this year. By next September, that number balloons to $2 million. Beyond that, there is no limit—it continues to go higher and higher. So if you are an employer and you cannot afford $2 million in coverage next year, well, you better apply for your waiver now, that long-term waiver, before September of this year; otherwise, you are going to be stuck with costs that only get higher and higher. This, to me, is what the administration wants to do because they do not want to put out waivers in 2012, an election year, which is going to cause additional attention to how unpopular this health care law continues to be.

Let's talk about some Americans who get together—people in any community, in my State, in your State, Mr. President—and want to start a new business. They are thinking about starting a new business after September, thinking about, Do we do it this summer? Do we wait until the fall? If these people want to start a new business and hire people and they want to start that business after September, they are going to be faced with two difficult choices: They can offer high-cost, government-approved health insurance—that is what the health care law says—making it very expensive for them to try to open a new business, to try to hire workers, to put America back to work—we are at a time when there is 9.2 percent unemployment in this country—or these people trying to start a new business can refuse to offer coverage at all because they can't afford the health care law's sky-high mandates.

So the incentives in the health care law will encourage businesses to do what? Well, to drop insurance coverage if they are providing it right now. Under the law, businesses are permitted to drop out of paying for employer-provided coverage as long as they pay a fine. The fine is going to be $2,000 per employee. The fine is far smaller than the exploding costs imposed by the health care law. So I think this explains why McKinsey & Company recently reported that up to 50 percent of employers are expected to stop offering employer-provided health care coverage.

The employees who are dumped—what happens to them? Well, they will be forced to get their insurance through a government exchange, an exchange run by Washington, which is heavily subsidized by the American taxpayers. They are going to be dumped into the exchange. The annual cost of subsidizing these ballooning numbers of insurance policies, by my calculation, is about $900 billion. Well, that is nine times higher than what the White House has claimed. In short, the taxpayers of this country will be stuck with a bill of nearly $1 trillion every year.

Well, I am going to continue to come to the floor week after week, continue to fight to repeal and replace this health care law with patient-centered care—patient-centered care—that lowers costs for all Americans and improves their care. So I will continue with the second opinions because until we are able to repeal and replace the health care law, I am going to move forward with what is now the Waive Act. This bill offers all Americans the freedom to choose—the freedom that has been taken away from them by the President's health care law. It gives them the right to seek and be granted a waiver out of the President's health care law. It is time to transfer power from Washington back to the American people. This will ensure they can get the care they need from the doctor they want at a price they can afford.

By Mr. FRANKEN (for himself, Mr. DURBIN, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. 1399. A bill to protect children affected by immigration enforcement actions, and for other purposes; to the Committee on the Judiciary.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1399

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 ''Humane Enforcement and Legal Protections for Separated Children Act'' or the ''HELP Separated Children Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPREHENSION.—The term ''apprehension'' means the detention, arrest, or custody by officials of the Department or cooperating entities.

(2) CHILD.—Except as otherwise specifically provided, the term ''child'' has the meaning given to the term in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)).

(3) CHILD WELFARE AGENCY.—The term ''child welfare agency'' means the State or local agency responsible for child welfare services under subtitles B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(4) COOPERATING ENTITY.—The term ''cooperating entity'' means a State or local entity acting under agreement with the Secretary.

(5) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(6) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used to hold individuals suspected or found to be in violation of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(7) IMMIGRATION ENFORCEMENT ACTION.—The term ''immigration enforcement action'' means the apprehension of, detention of, or request for or issuance of a detainer for, 1 or more individuals for suspected or confirmed violations of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) by the Secretary or a cooperating entity.

(8) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given to the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) NGO.—The term ''NGO'' means a nongovernmental organization that provides social services or humanitarian assistance to the immigrant community.

(10) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of the Department.

SEC. 3. APPREHENSION PROCEDURES FOR IMMIGRATION ENFORCEMENT-RELATED ACTIVITIES.

(a) NOTIFICATION.—

(1) ADVANCE NOTIFICATION.—Subject to paragraph (2), when conducting any immigration enforcement action, the Secretary and cooperating entities shall notify the Governor of the State, the local child welfare agency, and relevant State and local law enforcement before commencing the action, or, if advance notification is not possible, immediately after commencing such action, of—

(A) the approximate number of individuals to be targeted in the immigration enforcement action; and

(B) the primary language or languages believed to be spoken by individuals at the targeted site.

(2) HOURS OF NOTIFICATION.—To the extent possible, the advance notification required by paragraph (1) should occur during business hours and allow the notified entities sufficient time to identify resources to conduct the interviews described in subsection (b)(1).

(3) OTHER NOTIFICATION.—When conducting any immigration action, the Secretary and cooperating entities shall notify the relevant local educational agency and local NGOs of the information described in paragraph (1) immediately after commencing the action.

(b) APPREHENSION PROCEDURES.—In any immigration enforcement action, the Secretary and cooperating entities shall—

(1) as soon as possible and not later than 6 hours after an immigration enforcement action, provide licensed social workers or case managers employed or contracted by the child welfare agency or local NGOs with confidential access to screen and interview individuals apprehended in such immigration enforcement action to assist the Secretary or cooperating entity in determining if such individuals are parents, legal guardians, or primary caregivers of a child in the United States;

(2) as soon as possible and not later than 8 hours after an immigration enforcement action, provide any apprehended individual believed to be a parent, legal guardian, or primary caregiver of a child in the United States with—

(A) free, confidential telephone calls, including calls to child welfare agencies, attorneys, and legal services providers, to arrange for the care of children or wards, unless the Secretary has reasonable grounds to believe that providing confidential phone calls to the individual would endanger public safety or national security; and

(B) contact information for—

(i) child welfare agencies in all 50 States, the District of Columbia, all United States territories, counties, and local jurisdictions; and

(ii) attorneys and legal service providers capable of providing free legal advice or free legal representation regarding child welfare, child custody determinations, and immigration matters;

(3) ensure that personnel of the Department and cooperating entities do not—

(A) interview individuals in the immediate presence of children; or

(B) compel or request children to translate for interviews of other individuals who are encountered as part of an immigration enforcement action; and

(4) ensure that any parent, legal guardian, or primary caregiver of a child in the United States—

(A) receives due consideration of the best interests of his or her children or wards in any decision or action relating to his or her detention, release, or transfer between detention facilities; and

(B) is not transferred from his or her initial detention facility or to the custody of the Secretary until the individual—

(i) has made arrangements for the care of his or her children or wards; or

(ii) if such arrangements are impossible, is informed of the care arrangements made for the children and of a means to maintain communication with the children.

(c) NONDISCLOSURE AND RETENTION OF INFORMATION ABOUT APPREHENDED INDIVIDUALS AND THEIR CHILDREN.—

(1) IN GENERAL.—Information collected by child welfare agencies and NGOs in the course of the screenings and interviews described in subsection (b)(1) may not be disclosed to Federal, State, or local government entities or to any person, except pursuant to written authorization from the individual or his or her legal counsel.

(2) CHILD WELFARE AGENCY OR NGO RECOMMENDATION.—Notwithstanding paragraph (1), a child welfare agency or NGO may—

(A) submit a recommendation to the Secretary or a cooperating entity regarding whether an apprehended individual is a parent, legal guardian, or primary caregiver who is eligible for the protections provided under this Act; and

(B) disclose information that is necessary to protect the safety of the child, to allow for the application of subsection (b)(4)(A), or to prevent reasonably certain death or substantial bodily harm.

SEC. 4. ACCESS TO CHILDREN, LOCAL AND STATE COURTS, CHILD WELFARE AGENCIES, AND CONSULAR OFFICIALS.

(a) IN GENERAL.—The Secretary shall ensure that all detention facilities operated by or under agreement with the Department implement procedures to ensure that the best interest of the child, including a preference for family unity wherever appropriate, is considered in any decision and action relating to the custody of children whose parent, legal guardian, or primary caregiver is detained as the result of an immigration enforcement action.

(b) ACCESS TO CHILDREN, STATE AND LOCAL COURTS, CHILD WELFARE AGENCIES, AND CONSULAR OFFICIALS.—At all detention facilities operated by, or under agreement with, the Department, the Secretary shall—

(1) prominently post in a manner accessible to detainees and visitors and include in detainee handbooks information on the protections of this Act as well as information on potential eligibility for parole or release;

(2) ensure that individuals who are detained by reason of their immigration status may receive the screenings and interviews described in section 3(b)(1) not later than 6 hours after their arrival at the detention facility;

(3) ensure that individuals who are detained by reason of their immigration status and are believed to be parents, legal guardians, or primary caregivers of children in the United States are—

(A) permitted daily phone calls and regular contact visits with their children or wards;

(B) able to participate fully, and to the extent possible in-person, in all family court proceedings and any other proceeding impacting upon custody of their children or wards;

(C) able to fully comply with all family court or child welfare agency orders impacting upon custody of their children or wards;

(D) provided with contact information for family courts in all 50 States, the District of Columbia, all United States territories, counties, and local jurisdictions;

(E) granted free and confidential telephone calls to child welfare agencies and family courts as often as is necessary to ensure that the best interest of the child, including a preference for family unity whenever appropriate, can be considered;

(F) granted free and confidential telephone calls and confidential in-person visits with attorneys, legal representatives, and consular officials;

(G) provided United States passport applications for the purpose of obtaining travel documents for their children or wards;

(H) granted adequate time before removal to obtain passports and other necessary travel documents on behalf of their children or wards if such children or wards will accompany them on their return to their country of origin or join them in their country of origin; and

(I) provided with the access necessary to obtain birth records or other documents required to obtain passports for their children or wards; and

(4) facilitate the ability of detained parents, legal guardians, and primary caregivers to share information regarding travel arrangements with their children or wards, child welfare agencies, or other caregivers well in advance of the detained individual's departure from the United States.

SEC. 5. MEMORANDA OF UNDERSTANDING.

The Secretary shall develop and implement memoranda of understanding or protocols with child welfare agencies and NGOs regarding the best ways to cooperate and facilitate ongoing communication between all relevant entities in cases involving a child whose parent, legal guardian, or primary caregiver has been apprehended or detained in an immigration enforcement action to protect the best interests of the child, including a preference for family unity whenever appropriate.

SEC. 6. MANDATORY TRAINING.

The Secretary, in consultation with the Secretary of Health and Human Services and independent child welfare experts, shall require and provide in-person training on the protections required under sections 3 and 4 to all personnel of the Department and of States and local entities acting under agreement with the Department who regularly come into contact with children or parents in the course of conducting immigration enforcement actions.

SEC. 7. RULEMAKING.

Not later than 120 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement this Act.

SEC. 8. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 9. REPORT ON PROTECTIONS FOR CHILDREN IMPACTED BY IMMIGRATION ENFORCEMENT ACTIVITIES.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report that describes the impact of immigration enforcement activities on children, including children who are citizens of the United States.

(b) CONTENT.—The report submitted under subsection (a) shall include for the previous 1-year period an assessment of—

(1) the number of individuals removed from the United States who are the parent of a child who is a citizen of the United States;

(2) the number of occasions in which both parents or the primary caretaker of such a child was removed from the United States;

(3) the number of children who are citizens of the United States who leave the United States with parents who are removed;

(4) the number of such children who remained in the United States after the removal of a parent;

(5) the age of each such child at the time a parent is removed; and

(6) the number of instances in which such a child whose parent is apprehended, detained, or removed is referred to the local child welfare agency by officers or employees of the Department.

By Mr. HARKIN (for himself, Mr. DURBIN, Mr. BLUMENTHAL, Mr.

LAUTENBERG, Mrs. MURRAY, Mr. WHITEHOUSE, Mr. LEAHY, Mr. BENNET, Mr. FRANKEN, Ms. MIKULSKI, Mr. REED, Mrs. SHAHEEN, Mr. JOHNSON of South Dakota, and Mr. BEGICH):

S. 1403. A bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part; to the Committee on Finance.

Mr. HARKIN. Mr. President, throughout my career in public service I have focused on ensuring that each and every child with a disability has a right to a good education. To this end, I have fought tirelessly to safeguard the rights of children with disabilities under the Individuals with Disabilities Education Act, IDEA, the landmark legislation that has been improving the educational outcomes of millions of students across the nation since 1975 through the principles of inclusion and equality. When Congress passed IDEA with strong bipartisan support, we understood that our commitment to provide high-quality educational opportunities and serve the needs of students with disabilities in our classrooms entailed excess costs compared to other students, which would have a significant financial impact on States and school districts. As a result, Congress committed to cover up to 40 percent of the excess cost of educating students with disabilities; however, we have failed to deliver on that promise and the law has been greatly underfunded. This is why I am pleased to introduce the IDEA Full Funding Act, with my colleagues RICHARD DURBIN, FRANK LAUTENBERG, RICHARD BLUMENTHAL, PATTY MURRAY, SHELDON WHITEHOUSE, PATRICK LEAHY, MICHAEL BENNET, AL FRANKEN, BARBARA MIKULSKI, JACK REED, JEANNE SHAHEEN, TIM JOHNSON, and MARK BEGICH, which will meet the full Federal commitment at no additional cost to taxpayers. Given the current financial difficulties that many State and local governments are facing, this legislation is more essential than ever for ensuring that students with disabilities get the high-quality education and services they need to fulfill their potential.

Since the enactment of IDEA, students with disabilities across the United States have made tremendous progress. Today, over 6.6 million students receive special education services designed to meet their individual needs. Mr. President, 95 percent of students with disabilities attend a neighborhood school, and almost ⅔ of those spend at least 80 percent of their day in the regular school environment. Nearly 350,000 infants and toddlers receive early intervention services. Almost 6 out of 10 students with disabilities graduate high school with a regular diploma—twice the percentage of 25 years ago. Moreover, approximately half of students with disabilities enroll in postsecondary education. We must do our best to continue this progress and make good on a 36-year-old promise because we still have a long way to go: students with disabilities who graduate from high school have an employment rate that is less than half the employment rate of the general population.

Today, the Federal Government provides about 16 percent of special education costs or less than half of the committed level of 40 percent. In the current fiscal year, this means that Federal funds are almost $24 billion short, which forces States and school districts to make up the Federal shortfall at a time when they are cash strapped. The IDEA Full Funding Act will fully fund the Federal commitment to IDEA by gradually increasing the Federal Government's share of the excess costs of educating students with disabilities to its committed level over 10 years. Specifically, this legislation will increase the Federal dollars appropriated from $11.5 billion in fiscal year 2011 to $35.3 billion in fiscal year 2021.

By making good on our 36-year-old promise, which has a history of bipartisan support, we will supply schools with the necessary funding to enhance the quality and range of services available to students with disabilities. The funding increase will help to raise salaries for teachers and related services personnel, thereby allowing districts to enhance recruitment and retention possibilities, and will support school districts in increasing graduation rates and postsecondary enrollment rates of students with disabilities.

In these difficult times, it is essential for Congress to provide these revenues without increasing the deficit. The IDEA Full Funding Act is fully paid for by doubling the tax on cigarettes and small cigars and setting equivalent increases to other tobacco products. In addition to the benefit of offsetting the cost of fully funding IDEA, these tax provisions will help an estimated 1 million Americans reduce their tobacco use or quit altogether and prevent an estimated 2.2 million children from taking up smoking in the first place. The stakes are incredibly high: smoking kills more people than alcohol, AIDS, car accidents, illegal drugs, murders, and suicides combined, with thousands more dying from spit tobacco use. Every day at least 1,000 children become new regular, daily smokers in the U.S. and of those, almost a third will ultimately die from it. Furthermore, every year Americans incur the cost of $96 billion in public and private health care expenditures caused by smoking, including an estimated $54.6 billion in Federal Medicare and Medicaid Federal expenditures. Overall, this legislation, which I hope will enjoy bipartisan support, will impact children's lives in important ways, both by improving the educational outcomes of students with disabilities and by improving their health through smoking prevention.

By Mr. CARDIN (for himself and Mr. ENZI):

S. 1404. A bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements; to the Committee on Finance.

Mr. CARDIN. Mr. President, I rise today to introduce the Medical FSA Improvement Act of 2011. I am joined in this effort by Senator ENZI and I thank him for his support. Our bill would allow employees who have medical FSAs to cash out unused amounts, effectively repealing the current ''use-it-or-lose-it'' policy.

Our legislation would modernize and encourage participation in FSAs, which are a helpful tool for health care consumers who face significant cost sharing burdens. It would remove the penalty on employees who act prudently throughout the year and save their FSA dollars.

Flexible spending arrangements are an important benefit for many of my constituents in Maryland, Federal, State, and private sector employees, that allows them to set aside a portion of their income tax-free to pay for out-of-pocket medical expenses, such as copayments for doctor visits and prescription drugs, medical supplies, and equipment.

Nationwide, about 35 million Americans have FSAs, and the median salary of FSA participants is $55,000. It is estimated that one-third of Federal employees contribute to an FSA. Currently in Maryland, there are over 50,000 Federal employees who benefit from FSAs. These plans are efficient, the administrative costs are between two and three percent of claims, far lower than other health insurance administrative costs, and over 90 percent of claims can be substantiated electronically, meaning that paperwork for participants is minimized.

More than 85 percent of America's large employers offer FSAs, but only about 20 percent of eligible employees enroll. According to several surveys of eligible participants, the primary reason for declining to enroll or for underfunding accounts is concern about the ''use-it-or-lose-it'' rule, which requires participants to spend their entire contribution before the end of the plan year or risk forfeiting the unused funds back to their employer. This ''use-it-or-lose-it'' rule was initially enacted to prevent participants from putting excessive amounts in their FSA, and it served to regulate what used to be an uncapped benefit. With the enactment of the Affordable Care Act in 2010, annual contributions to FSAs will be capped at $2,500 beginning in 2013, which makes the ''use-it-or-lose-it'' rule unnecessary.

It is unreasonable to expect FSA participants, especially those with chronic conditions, to be able to accurately forecast their out-of-pocket medical expenses a year in advance, and it is unfair to penalize them at the end of the plan year if their estimates are incorrect by making them forfeit any unspent amounts. Ending the ''use-it-

or-lose-it'' rule and allowing for this cash-out option is a wise and sensible improvement to FSAs that will encourage more efficient participation in medical flexible spending accounts.

It is time to modernize FSAs to eliminate this burdensome ''use-it-or-lose-it'' rule. It is both fair and sound health policy to allow FSA participants to cash-out remaining funds at the end of the plan year rather than forfeiting the balance to their employer. The amounts cashed out would be taxable for the year of the cash-out. Moreover, just as it is at the discretion of employers to establish FSAs for their employees, it would be the employer's option to offer the cash-out feature. But I believe many employers will offer this option, as they too will save money through increased employer payroll tax savings.

Data provided by WageWorks shows that the average unused balance in the end of the year in an FSA is about $100, and each year a total of nearly $400 million remains in FSA accounts. The static analysis, before considering the effects of greater participation in FSAs, would indicate that allowing a cash-out of these funds and taxing these unused amounts would increase federal revenues by about $70 million a year, holding everything else constant.

Our legislation is supported by the Employers' Council on Flexible Compensation, representing more than 100 member companies, including employers, accounting and consulting firms, third party administrators, and actuarial companies. I am also pleased to announce the support of the National Treasury Employees Union, which represents more than 150,000 Federal employees in 31 agencies.

I commend Representatives CHARLES BOUSTANY and JOHN LARSON for having introduced a bipartisan companion bill in the House of Representatives, and urge my colleagues to support this common-sense measure.

By Mrs. FEINSTEIN:

S. 1405. A bill for the relief of Guy Privat Tape and Lou Nazie Raymonde Toto; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am introducing a private relief bill on behalf of Guy Privat Tape and Lou Nazie Raymonde Toto. Mr. Tape and Ms. Toto are citizens of the Ivory Coast, but have been living in the San Francisco area of California for approximately 17 years.

The story of Mr. Tape and Ms. Toto is compelling and I believe they merit Congress' special consideration for such an extraordinary form of relief as a private bill.

Mr. Tape and Ms. Toto were subjected to numerous atrocities in the early 1990's in the Ivory Coast. After participating in a demonstration against the ruling party, they were jailed and tortured by their own government. Ms. Toto was brutally raped by her captors and several years later learned that she had contracted HIV.

Despite the hardships that they suffered, Mr. Tape and Ms. Toto were able to make a better life for themselves in the United States. Mr. Tape arrived in the U.S in 1993 on a B1/B2 non-immigrant visa. Ms. Toto entered without inspection in 1995 from Spain. Despite being diagnosed with HIV, Ms. Toto gave birth to two healthy children, Melody, age 13, and Emmanuel, age 8.

Since arriving in the United States, this family has dedicated themselves to community involvement and a strong work ethic. They are active members of Easter Hill United Methodist Church.

Mr. Tape is employed as a security guard and unfortunately, in 2002, he was diagnosed with prostate cancer. While his doctor states that the cancer is currently in remission, he will continue to require life-long surveillance to monitor for recurrence of the disease.

In addition to raising her two children, Ms. Toto obtained a certificate to be a nurse's aide and currently works as a Resident Care Specialist at a nursing home in San Pablo, California. Ms. Toto continues to receive medical treatment for HIV. According to her doctor, without access to adequate health care and laboratory monitoring, she is at risk of developing life-threatening illnesses.

Mr. Tape and Ms. Toto applied for asylum when they arrived in the U.S., but after many years of litigation, the claim was ultimately denied by the 9th Circuit Court of Appeals.

Although the regime which subjected Mr. Tape and Ms. Toto to imprisonment and torture is no longer in power, Mr. Tape has been afraid to return to the Ivory Coast due to his prior association with former President Laurent Gbagbo. As a result, Mr. Tape strongly believes that his family will be targeted if they return to the Ivory Coast.

One of the most compelling reasons for permitting the family to remain in the United States is the impact their deportation would have on their two U.S. citizen children. For Melody and Emmanuel, the United States is the only country they have ever known. Mr. Tape believes that if the family returns to the Ivory Coast, these two young children will be forced to enter the army.

This bill is the only hope for this family to remain in the United States. To send them back to the Ivory Coast, where they may face persecution and inadequate medical treatment for their illnesses would be devastating to the family. I have received approximately 30 letters from the church community in support of this family.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1405

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

SECTION 1. PERMANENT RESIDENT STATUS FOR GUY PRIVAT TAPE AND LOU NAZIE RAYMONDE TOTO.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Guy Privat Tape and Lou Nazie Raymonde Toto shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Guy Privat Tape or Lou Nazie Raymonde Toto enters the United States before the filing deadline specified in subsection (c), Guy Privat Tape or Lou Nazie Raymonde Toto, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Guy Privat Tape and Lou Nazie Raymonde Toto, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Guy Privat Tape and Lou Nazie Raymonde Toto under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Guy Privat Tape and Lou Nazie Raymonde Toto under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 234—RELATIVE TO THE DEATH OF WILLIAM F. HILDENBRAND, FORMER SECRETARY OF THE SENATE

Mr. MCCONNELL (for himself and Mr. REID of Nevada) submitted the following resolution; which was considered and agreed to:

S. RES. 234

Whereas William F. Hildenbrand began his service to the United States Senate in 1961 as an assistant to Senator J. Caleb Boggs;

Whereas William F. Hildenbrand served as Administrative Assistant to Senator Hugh Scott from 1969 until 1974;

Whereas William F. Hildenbrand served as Secretary for the Minority of the Senate from 1974 until 1981;

Whereas William F. Hildenbrand served as Secretary of the Senate from 1981 until 1985;

Whereas William F. Hildenbrand served as an employee of the Senate of the United States and ably and faithfully upheld the high standards and traditions of the staff of the Senate from 1961 until 1985;

Whereas William F. Hildenbrand discharged the difficult duties and responsibilities of a wide variety of important and demanding positions in public life with honesty, integrity, loyalty and humility; and

Whereas William F. Hildenbrand's clear understanding and appreciation of the challenges facing the Nation has left his mark on those many areas of public life: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of William F. Hildenbrand.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of William F. Hildenbrand.

SENATE RESOLUTION 235—DESIGNATING 2011 AS ''THE YEAR OF THE FAMILY CAREGIVER''

Ms. MIKULSKI (for herself, Mr. SANDERS, and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 235

Whereas there are more than 65,000,000 people in the United States serving as family caregivers for a family member or friend with a disability, chronic illness, or the frailties associated with old age;

Whereas family caregivers in the United States are family, friends, partners, and neighbors who choose to provide care out of feelings of love or a sense of duty;

Whereas family caregivers deal with significant medical and psycho-social issues that require complex care management and coordination with numerous medical providers;

Whereas family caregivers provide 80 percent of all long-term care services in the United States;

Whereas despite the physical, psychological, and financial hardship that caregivers endure, these individuals provide high-quality services that bring countless benefits to their care recipients and to society; and

Whereas the people of the United States should acknowledge the vital role of family caregivers, enable such caregivers to live healthier, less stressful lives, and enhance the ability of family caregivers to improve the health and well-being of those that they care for: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the year 2011 as the 11-year anniversary of the National Family Caregiver Support Program;

(2) applauds the Administration on Aging and national and community based organizations that support family caregivers;

(3) applauds the family, friends, partners, and neighbors who provide long-term care services; and

(4) designates 2011 as ''The Year of the Family Caregiver''.

SENATE RESOLUTION 236—DESIGNATING SEPTEMBER 2011 AS NATIONAL SPINAL CORD INJURY AWARENESS MONTH

Mr. RUBIO (for himself and Mr. NELSON of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 236

Whereas the estimated 1,275,000 people in the United States who live with a spinal cord injury cost society billions of dollars in health care costs and lost wages;

Whereas an estimated 100,000 of those individuals living with a spinal cord injury are veterans who suffered the spinal cord injury while serving as members of the United States Armed Forces;

Whereas accidents are the leading cause of spinal cord injuries;

Whereas motor vehicle crashes are the second leading cause of spinal cord and traumatic brain injuries;

Whereas 70 percent of all spinal cord injuries that occur in children under the age of 18 are a result of motor vehicle accidents;

Whereas every 48 seconds a person will become paralyzed, underscoring the urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for victims of spinal cord injuries, improving the quality of life of victims, and ultimately curing paralysis: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2011 as Spinal Cord Injury Awareness Month;

(2) supports the goals and ideals of Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for paralysis;

(4) supports clinical trials for new therapies that offer promise and hope to those persons living with paralysis; and

(5) commends the dedication of local, regional, and national organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of persons living with paralysis and their families.

AMENDMENTS SUBMITTED AND PROPOSED

SA 579. Mr. REID (for Mr. COBURN) proposed an amendment to the bill S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation.

SA 580. Mr. WHITEHOUSE (for Mrs. MURRAY) proposed an amendment to the bill H.R. 1383, to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

TEXT OF AMENDMENTS

SA 579. Mr. REID (for Mr. COBURN) proposed an amendment to the bill S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation; as follows:

On page 3, line 17, strike all through page 4, line 12, and insert the following:

SEC. 2. CREATION OF NEW TERM OF SERVICE FOR THE OFFICE OF DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION.

Section 1101 of the Omnibus Crime Control and Safe Streets Act of 1968 (28 U.S.C. 532 note) is amended by adding at the end the following:

''(c)(1) Effective on the date of enactment of this subsection, a new term of service for the office of Director of the Federal Bureau of Investigation shall be created, which shall begin on or after August 3, 2011, and continue until September 4, 2013. Notwithstanding the second sentence of subsection (b) of this section, the incumbent Director of the Federal Bureau of Investigation on the date of enactment of this subsection shall be eligible to be appointed to the new term of service provided for by this subsection, by and with the advice and consent of the Senate, and only for that new term of service. Nothing in this subsection shall prevent the President, by and with the advice of the Senate, from appointing an individual, other than the incumbent Director of the Federal Bureau of Investigation, to a 10-year term of service subject to the provisions of subsection (b) after the date of enactment of this subsection.

''(2) The individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection may not serve as Director after September 4, 2013.

''(3) With regard to the individual who is the incumbent in the office of the Director of the Federal Bureau of Investigation on the date of enactment of this subsection, the second sentence of subsection (b) shall not apply.''.

SA 580. Mr. WHITEHOUSE (for Mrs. MURRAY) proposed an amendment to the bill H.R. 1383, to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes; as follows:

On page 3, strike lines 10 and 11 and insert the following:

Code, who, since January 4, 2011, has been enrolled in the same non-public institution of higher learning in a State in

Beginning on page 4, strike line 12 and all that follows through page 5, line 3, and insert the following:

(a) EXTENSION.—Section 3729(b)(2)(B) of title 38, United States Code, is amended—

(1) in clause (i)—

(A) by striking ''January 1, 2004'' and inserting ''October 1, 2011''; and

(B) by striking ''3.00'' both places it appears and inserting ''3.30'';

(2) in clause (ii)—

(A) by striking ''January 1, 2004, and before October 1, 2011'' and inserting ''October 1, 2011, and before October 1, 2012''; and

(B) by striking ''3.30'' both places it appears and inserting ''2.80''; and

(3) in clause (iii), by striking ''October 1, 2011'' and inserting ''October 1, 2012''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of October 1, 2011, or the date of the enactment of this Act.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, July 28, 2011, at 9:45 a.m. in SD–430 to conduct a hearing entitled ''FDA User Fees: Advancing Public Health.''

For further information regarding this meeting, please contact Elizabeth Jungman of the committee staff on (202) 224–7675.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, July 28, 2011, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the nominations of Charles McConnell, to be an Assistant Secretary of Energy (Fossil Energy) and Rebecca Wodder, to be Assistant Secretary for Fish and Wildlife.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to allison___seyferth @energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224–7571 or Allison Seyferth at (202) 224–4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 21, 2011, at 10 a.m. in room SD–G50 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 21, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 21, 2011, at 10 a.m. to conduct a committee hearing entitled ''Enhanced Oversight After the Financial Crisis: The Wall Street Reform Act at One Year.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 21, 2011, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 21, 2011, at 10 a.m., in Dirksen 406 to conduct a hearing entitled, ''Legislative Issues for Transportation Reauthorization.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 21, 2011, at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled ''Improving For-Profit Higher Education: A Roundtable Discussion of Policy Solutions'' on July 21, 2011, at 2 p.m. in room SH–216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate, on July 21, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a hearing entitled ''Facing Floods and Fires—Emergency Preparedness for Natural Disasters in Native Communities.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 21, 2011, at 10 a.m. in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 21, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY, AND SECURITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 21, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, ''Making Our Roads Safer: Reauthorization of the Motor Carrier Safety Programs.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on July 21, 2011, at 2 p.m. in room SD–106 of the Dirksen Senate Office Building to conduct a hearing entitled ''A Prescription for Savings: Reducing Drug Costs to Medicare.''

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Matthew Levy, a fellow on the Budget Committee, be granted the privileges of the floor during the duration of today and tomorrow's session of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Greg Greubel of my staff be granted the privilege of the floor for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORAN. Mr. President, I ask unanimous consent that Jara Settles, an intern on my staff, have floor privileges for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESERVING HIGHER TUITION AND FEES RELATING TO THE POST–9/11 VETERANS EDUCATIONAL ASSISTANCE IMPROVEMENTS ACT OF 2010

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Veterans Affairs' Committee be discharged from further consideration of H.R. 1383, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 1383) to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that a Murray amendment, which is at the desk, be agreed to; that the bill, as amended, be read the third time and passed; that the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 580) was agreed to, as follows:

On page 3, strike lines 10 and 11 and insert the following:

Code, who, since January 4, 2011, has been enrolled in the same non-public institution of higher learning in a State in

Beginning on page 4, strike line 12 and all that follows through page 5, line 3, and insert the following:

(a) EXTENSION.—Section 3729(b)(2)(B) of title 38, United States Code, is amended—

(1) in clause (i)—

(A) by striking ''January 1, 2004'' and inserting ''October 1, 2011''; and

(B) by striking ''3.00'' both places it appears and inserting ''3.30'';

(2) in clause (ii)—

(A) by striking ''January 1, 2004, and before October 1, 2011'' and inserting ''October 1, 2011, and before October 1, 2012''; and

(B) by striking ''3.30'' both places it appears and inserting ''2.80''; and

(3) in clause (iii), by striking ''October 1, 2011'' and inserting ''October 1, 2012''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of October 1, 2011, or the date of the enactment of this Act.

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

The bill (H.R. 1383), as amended, was read the third time and passed, as follows:

H.R. 1383

Resolved, That the bill from the House of Representatives (H.R. 1383) entitled ''An Act to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes.'', do pass with the following amendments:

(1) On page 3, strike lines 10 and 11 and insert the following:

Code, who, since January 4, 2011, has been enrolled in the same non-public institution of higher learning in a State in

(2) Beginning on page 4, strike line 12 and all that follows through page 5, line 3, and insert the following:

(a) EXTENSION.—Section 3729(b)(2)(B) of title 38, United States Code, is amended—

(1) in clause (i)—

(A) by striking ''January 1, 2004'' and inserting ''October 1, 2011''; and

(B) by striking ''3.00'' both places it appears and inserting ''3.30'';

(2) in clause (ii)—

(A) by striking ''January 1, 2004, and before October 1, 2011'' and inserting ''October 1, 2011, and before October 1, 2012''; and

(B) by striking ''3.30'' both places it appears and inserting ''2.80''; and

(3) in clause (iii), by striking ''October 1, 2011'' and inserting ''October 1, 2012''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of October 1, 2011, or the date of the enactment of this Act.

INTERNATIONAL YEAR OF COOPERATIVES

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 87, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 87) designating the year of 2012 as the ''International Year of Cooperatives.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the preamble be agreed to; the resolution be agreed to; that the motions to reconsider be laid upon the table, with no intervening action or debate; that any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 87) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 87

Whereas in the United States, there are more than 29,000 cooperatives with 120,000,000 members;

Whereas cooperatives in the United States generate 2,000,000 jobs and make a substantial contribution to the economy of the United States with annual sales of $652,000,000,000 and assets of $3,000,000,000,000;

Whereas the cooperative business model has empowered people around the world to improve their lives through economic and social progress;

Whereas cooperatives are a major economic force in developed countries and a powerful business model in developing countries, employing approximately 100,000,000 people;

Whereas there are millions of cooperatives, which are owned and governed by more than 1,000,000,000 members, operating in every nation of the world;

Whereas the economic activity of the largest 300 cooperatives in the world is equal to that of the 10th largest national economy;

Whereas United Nations Resolution 64/136, adopted by the General Assembly on December 18, 2009, designates the year 2012 as the ''International Year of Cooperatives'';

Whereas the theme of the International Year of Cooperatives is ''Cooperative Enterprise Builds a Better World''; and

Whereas cooperatives are the businesses of the people, and for more than a century, have been a vital part of the world economy: Now, therefore, be it

Resolved, That the Senate—

(1) designates the year 2012 as the ''International Year of Cooperatives'';

(2) congratulates cooperatives and members of cooperatives in the United States and around the world on the recognition of the United Nations of 2012 as the ''International Year of Cooperatives'';

(3) recognizes the vital role cooperatives play in the economic and social well-being of the United States;

(4) urges the establishment of a National Committee for the 2012 International Year of Cooperatives to be comprised of representatives from each Federal agency, all cooperative sectors, and key stakeholders;

(5) recognizes the importance of raising the profile of cooperatives and demonstrating the manner by which cooperatives build local wealth, generate employment, and provide competition in the marketplace; and

(6) encourages highlighting the positive impact of cooperatives and developing new programs for domestic and international cooperative development.

RELATIVE TO THE DEATH OF WILLIAM F. HILDENBRAND, FORMER SECRETARY OF THE SENATE

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 234, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 234) relative to the death of William F. Hildenbrand, former Secretary of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 234) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 234

Whereas William F. Hildenbrand began his service to the United States Senate in 1961 as an assistant to Senator J. Caleb Boggs;

Whereas William F. Hildenbrand served as Administrative Assistant to Senator Hugh Scott from 1969 until 1974;

Whereas William F. Hildenbrand served as Secretary for the Minority of the Senate from 1974 until 1981;

Whereas William F. Hildenbrand served as Secretary of the Senate from 1981 until 1985;

Whereas William F. Hildenbrand served as an employee of the Senate of the United States and ably and faithfully upheld the high standards and traditions of the staff of the Senate from 1961 until 1985;

Whereas William F. Hildenbrand discharged the difficult duties and responsibilities of a wide variety of important and demanding positions in public life with honesty, integrity, loyalty and humility; and

Whereas William F. Hildenbrand's clear understanding and appreciation of the challenges facing the Nation has left his mark on those many areas of public life: Now, therefore, be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of William F. Hildenbrand.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of William F. Hildenbrand.

DESIGNATING 2011 AS ''THE YEAR OF THE FAMILY CAREGIVER''

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 235, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 235) designating 2011 as ''The Year of the Family Caregiver.''

There being no objection, the Senate proceeded to consider the resolution.

Ms. MIKULSKI. Mr. President, I rise today in support of this resolution recognizing 2011 as the 11-year anniversary of the National Family Caregiver Support Program and declaring 2011 The Year of the Family Caregiver. This year, caregivers across the country and the Administration on Aging are celebrating family caregivers and working to improve the support family caregivers receive.

Today's resolution recognizes the 65 million Americans who serve as family caregivers for their family members, friends, and other loved ones living with a disability, chronic illness, or other condition associated with old age. Family caregivers are the backbone of our Nation's long-term care system, accounting for 80 percent of all long-term services provided in the United States. They provide high-quality services that improve the lives of the people they care for and benefit our society.

I created the National Family Caregiver Support Program in 2000 to strengthen the Older Americans Act so it may meet the day-to-day needs of our older Americans and their caregivers. The program is a partnership between States and Area Agencies on Aging. The National Family Caregiver Support Program provides counseling, training, respite care, adult daycare, and other support services to 600,000 caregivers so that families can get the resources they need to care for their loved one. The program helps American families take care of older parents while raising children of their own and pursuing a career. It also helps grandparents who are taking care of grandchildren. The National Family Caregiver Support Program helps families provide care longer and delays the need for costly nursing home care.

Family caregiving continues to place a lot of stress on families in terms of time, energy, and finances, but American families are up to this challenge. I ask my colleagues today to join me in applauding the work of family caregivers and those who support them every day.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 235) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 235

Whereas there are more than 65,000,000 people in the United States serving as family caregivers for a family member or friend with a disability, chronic illness, or the frailties associated with old age;

Whereas family caregivers in the United States are family, friends, partners, and neighbors who choose to provide care out of feelings of love or a sense of duty;

Whereas family caregivers deal with significant medical and psycho-social issues that require complex care management and coordination with numerous medical providers;

Whereas family caregivers provide 80 percent of all long-term care services in the United States;

Whereas despite the physical, psychological, and financial hardship that caregivers endure, these individuals provide high-quality services that bring countless benefits to their care recipients and to society; and

Whereas the people of the United States should acknowledge the vital role of family caregivers, enable such caregivers to live healthier, less stressful lives, and enhance the ability of family caregivers to improve the health and well-being of those that they care for: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the year 2011 as the 11-year anniversary of the National Family Caregiver Support Program;

(2) applauds the Administration on Aging and national and community based organizations that support family caregivers;

(3) applauds the family, friends, partners, and neighbors who provide long-term care services; and

(4) designates 2011 as ''The Year of the Family Caregiver''.

DESIGNATING SEPTEMBER 2011 AS ''NATIONAL SPINAL CORD INJURY AWARENESS MONTH''

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 236, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 236) designating September 2011 as ''National Spinal Cord Injury Awareness Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. WHITEHOUSE. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 236) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 236

Whereas the estimated 1,275,000 people in the United States who live with a spinal cord injury cost society billions of dollars in health care costs and lost wages;

Whereas an estimated 100,000 of those individuals living with a spinal cord injury are veterans who suffered the spinal cord injury while serving as members of the United States Armed Forces;

Whereas accidents are the leading cause of spinal cord injuries;

Whereas motor vehicle crashes are the second leading cause of spinal cord and traumatic brain injuries;

Whereas 70 percent of all spinal cord injuries that occur in children under the age of 18 are a result of motor vehicle accidents;

Whereas every 48 seconds a person will become paralyzed, underscoring the urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for victims of spinal cord injuries, improving the quality of life of victims, and ultimately curing paralysis: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2011 as Spinal Cord Injury Awareness Month;

(2) supports the goals and ideals of Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for paralysis;

(4) supports clinical trials for new therapies that offer promise and hope to those persons living with paralysis; and

(5) commends the dedication of local, regional, and national organizations, researchers, doctors, volunteers, and people across the United States that are working to improve the quality of life of persons living with paralysis and their families.

MEASURE READ THE FIRST TIME—H.R. 2553

Mr. WHITEHOUSE. Mr. President, I understand that H.R. 2553 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 2553) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

Mr. WHITEHOUSE. I ask for a second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

ORDERS FOR FRIDAY, JULY 22, 2011

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 o'clock a.m. on Friday, July 22; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to proceed to H.R. 2560, the Cut, Cap, and Balance Act, with the time until 10 o'clock a.m. equally divided and controlled between the two leaders or their designees; further, that at 10 o'clock a.m., the majority leader be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. WHITEHOUSE. Mr. President, I am advised to inform the Senate that tomorrow morning the majority leader will make a motion to table the motion to proceed to H.R. 2560. Therefore, Senators should expect a rollcall vote at approximately 10 o'clock a.m. To accommodate Senators on both sides, this vote will be longer than usual.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. WHITEHOUSE. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it adjourn under the provisions of S. Res. 234, as a further mark of respect to the memory of the late William F. Hildenbrand, former Secretary of the Senate.

There being no objection, the Senate, at 8:13 p.m., adjourned until Friday, July 22, 2011, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF HOMELAND SECURITY

ROSLYN ANN MAZER, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY, VICE RICHARD L. SKINNER, RESIGNED.

FEDERAL TRADE COMMISSION

MAUREEN K. OHLHAUSEN, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR A TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2011, VICE WILLIAM E. KOVACIC, TERM EXPIRING.

EXTENSIONS OF REMARKS

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, July 8, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2354) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes:

Mr. HOLT. Mr. Chair, I rise in opposition to the Fiscal Year 2012 Energy and Water Appropriations bill. At a time when our economy is already fragile, the Majority appears intent on reducing Federal funding for the very programs that drive technological innovation, economic growth, and job creation.

Scientific research lies at the very heart of the national innovation system that keeps us competitive, enhances our quality of life, fuels our economy, and improves our national security. Investments in our Federal science agencies and our national innovation infrastructure are not big government spending programs that we cannot afford. They are minimum down-payments on our country's national security, public health, and economic vitality that we cannot afford to postpone.

Yet, this bill contains enormous cuts to several programs at the Department of Energy that are critical for supporting innovation and increasing American economic competitiveness.

This bill slashes nearly $43 million in funding from the Department of Energy's (DOE) Office of Science compared to Fiscal Year 2011. The Office of Science is the Nation's primary sponsor of research in the physical sciences and has been integral to the development of dozens of innovative technologies. Some have become the underpinnings of modem scientific disciplines; some have revolutionized medicine; some have advanced our national energy security; some have made our troops safer. That is the nature and the power of scientific research—the ultimate outcomes cannot necessarily be known in advance, but investments in basic discovery can yield enormous dividends. I offered an amendment to restore funding to the DOE Office of Science so that it could maintain current operations. Unfortunately, my amendment was defeated.

This bill provided $100 million for the Department of Energy's Advanced Research Projects Agency-Energy (ARPA–E). ARPA–E supports high-risk, high-reward research on energy technologies. Funding for ARPA–E directly contributes to the creation of new technologies, new industries, and new jobs. Yet, the Majority intended to slash funding for this valuable program by an astonishing 81 percent relative to the President's request.

Fortunately, the House passed an amendment offered by my colleague Mr. SCHIFF that will restore funding for ARPA–E to Fiscal Year 2011 levels. I was pleased to join my colleagues in voting for this important amendment.

This legislation contains $1.3 billion for energy efficiency and renewable energy programs, a remarkable 59 percent less than President Obama's request. This is the worst possible moment to slash funding for sustainable energy technologies. The DOE's Office of Energy Efficiency and Renewable Energy supports research and development of sustainable energy technologies that strengthen the economy and protect the environment. Research in sustainable and efficient energy technologies increases our energy security, reduces our dependence on foreign oil, creates jobs, and increases our economic competitiveness. Yet the Majority made devastating cuts to this valuable program.

Remarkably, the Majority was not satisfied with these cuts to energy efficiency programs. The House adopted by voice vote an amendment that would bar the Department of Energy from using funds to enforce energy efficiency standards for light bulbs enacted by the Energy Independence and Security Act of 2007. Yet, just days before, the House rejected an identical measure. This efficiency standard, enacted in a bipartisan bill signed into law by President Bush, simply requires that new light bulbs use 25 to 30 percent less energy than traditional incandescent light bulbs. No light bulbs are banned. No consumers will be forced to use one type of light bulb over another type.

Since Congress acted 4 years ago, lighting companies have invested significant capital and resources into research, development, and new technologies—exactly the kind of investments that our economy desperately needs. So again, the Majority has voted to thwart technological progress and cost America jobs and money.

While I do not object to the committee's decision to add disaster relief funding for projects resulting from tornadoes, storms, and floods across the Midwest and Southeast, I oppose strongly the decision to rescind $1 billion in unobligated funding for high-speed rail projects. In May, the U.S. Department of Transportation awarded Amtrak $450 million in funding to upgrade its rail infrastructure to support more frequent and faster high-speed rail service, and to improve reliability of current service between New York and Washington. Now this funding will be unavailable. This will result in a loss of jobs and infrastructure in my Central New Jersey district—one of the busiest segments of the Northeast Corridor and where the densest concentration of Acela Express high-speed rail operations occurs. This provision amounts to a step backward in the development of the nation's intercity rail infrastructure.

In May, the U.S. Department of Transportation awarded Amtrak $450 million in funding to upgrade its rail infrastructure to support more frequent and faster high-speed rail service, and to improve reliability of current service between New York and Washington. Specifically, this award would upgrade electrical power, signal systems, track and overhead catenary wires in my Central New Jersey district—one of the busiest segments of the Northeast Corridor (NEC) and where the densest concentration of Acela Express high-speed rail operations occurs. This work is critical to Amtrak's plan to double high-speed Acela service between New York and Washington by 2022.

Budgets reflect, in dollars and cents, our priorities as a nation. We must provide Federal support for programs that encourage scientific research and support economic development. At a time when our economy is already fragile, abandoning scientific research would cause the U.S. to lose even more high-tech jobs to our foreign competitors. That is not the way to compete in the future, especially when the economy is in a fragile recovery. For all of these reasons, I am voting against this bill.

IN HONOR'S LIGHT, IN HONOR OF THE PRESENTATION OF THE MEDAL OF HONOR ON JULY 12, 2011, RANGER SGT. 1ST CLASS LEROY PETRY, 75TH RANGER REGIMENT, THE UNITED STATES ARMY

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, on May 26, 2008, Sgt. 1st Class Leroy Petry of Sante Fe, New Mexico, while on his 8th tour of duty in both Iraq and Afghanistan and in the midst of a firefight, distinguished himself conspicuously by gallantry and intrepidity above and beyond the call of duty. Ranger Sgt. Leroy Petry lost his right hand and suffered severe wounds after picking up a live grenade and throwing it away from his fellow soldiers, thereby saving the lives of his comrades. He also was wounded in both legs and in the midst of the battle tied tourniquets to his legs and arm. Today we honor this great American Hero and the many like him with the presentation of The Medal of Honor to him at The White House by President Barack Obama. I ask that this poem penned in his honor by Albert Caswell, be placed in the RECORD.

IN HONOR'S LIGHT

In . . .
In the battle, but comes the light!
From out of such darkness, so very bright!
All between life and death, that which so ignites! So brilliant, and so very bright!
To lead the way, to win that fight! To save their Brother In Arms, its height!
While, forsaking one's own most precious life! Shining there, all in their most heroic glare so bright!
Leading the way, all in what they so gave so right! All In Honor's Light!
For, from only out of one's soul . . . Can but only such brilliance, so flow!
Can but only such light but shine so!

When, who lives . . ., or dies? And who but lives to see another sunrise?
When, it all so depends on you! Such Splendid Splendor, Such God-like Light!
Which, bring's such tears to even The Angels eyes! All in such selfless sacrifice!
While, bathed all In Honor's Light! Goodness! Evil! Darkness! Light!
Those Brave Hearts, Who Evil Must Fight! Who so shine, who but bring their light!
All In Honor's Light!
Moments! Are all we have! When, it all so depends on you!
When, death but lies so very close! As when you Leroy, so rose to such new heights!
Ranger, all in your most brilliant light! As it all so came shining through!
All in valor's most magnificent hue! For what child will now be born?
For which love's, will so live on?
Who might change the world, or rise . . . all In Honor's Height!
Sgt. 1st Class Petry, All because you! When, All In Honor and Death . . .
What your fine heart, so pledged!
For what was right and what is true! 'Ah yes, Ranger's lead, Leroy as so did you!
All for our nation, and that old Red, White and Blue!
All for your Brothers In Arms, as your most courageous heart so grew!
All in, Your Most Magnificent Hue! All In Honor's Light, So Very True!
As why this day Ranger Petry, you so shine so true!
With all of those other magnificent's . . .
Who now so who, have so shown All Honor's Light so too!
As this Medal of Honor, we now bestowed upon You!
All In Honor's Light! This hue!
OOO-AH!

—by Albert Carey Caswell.

IN HONOR OF PAUL BURIK

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to honor Mr. Paul Burik, who is being honored at this year's American Nationalities Movement's awards dinner.

Mr. Burik, was born in Budvar, in what was then Czechoslovakia. In 1968, during the Soviet invasion, he and his father managed to escape and settled in Cleveland, Ohio. After graduating from Kent State University with a degree in architecture, Paul spent much of his professional career working as Chief Architect for the City of Cleveland.

Mr. Burik is currently the President of the Cleveland Cultural Gardens Federation, an organization consisting of more than two dozen gardens representing various nationalities. Among the gardens is a Czech Garden. Since he became President, the Cultural Gardens have expanded annually for the past four years and several more nationalities are waiting to build a garden. Mr. Burik is also the President of the Cleveland Chapter of the Czech and Slovak Society of Arts and Sciences, a nonprofit cultural organization.

Mr. Burik currently resides in Avon, Ohio, with his wife, Fran, with whom he has two children and two grandchildren. In Avon, Paul is the co-Founder and Secretary of the French Creek Development Association, an organization dedicated to the improvement and promotion of downtown Avon.

Mr. Speaker and colleagues, please join me in honoring Paul Burik, a man who has dedicated so much of his time and talents to his community and its betterment.

RECOGNIZING THE ACHIEVEMENTS OF NEW YORK PRESBYTERIAN HOSPITAL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. RANGEL. Mr. Speaker, it is my great honor and privilege to congratulate New York—Presbyterian Hospital for its impressive achievement of once again ranking number one among New York hospitals according to U.S. News and World Report's 2011–2012 Best Hospital Rankings. Nationally, New York—Presbyterian ranked sixth out of almost 5,000 hospitals. The hospital offers the highest quality comprehensive care, which has also landed it on U.S. News' Honor Roll for the eleventh year in a row. Achieving this prestigious distinction is no small feat. In order to reach this list, a hospital must be ranked at or near the top in at least six specialties. New York—Presbyterian is highly ranked in 11. These specialties include Cancer; Cardiology & Heart Surgery; Diabetes & Endocrinology; Geriatrics; Neurology & Neurosurgery; Orthopedics; Psychiatry; and Pulmonology. The hospital is also nationally ranked in 15 adult and 10 pediatric specialties.

New York—Presbyterian Hospital is the largest not-for-profit, non-sectarian hospital in the United States, with 2,409 beds and nearly 2 million inpatient and outpatient visits annually. The hospital has 6,144 affiliated physicians and a staff of nearly 20,000. New York—Presbyterian is a teaching hospital with five major centers located throughout New York State. It is accredited by the Joint Commission and the Commission on Accreditation of Rehabilitation Facilities.

There are many other attributes to this great institution that keep it among the nation's top hospitals. New York—Presbyterian Hospital puts its patients first, staying on the cutting edge of life-saving technology. As the only hospital in the United States affiliated with two Ivy-League medical schools, the hospital seeks to reinvent medical practice, offering breakthrough treatments for brain and prostate cancers. The hospital has centers and institutes dedicated specifically to cardiology and reproductive medicine. New York—Presbyterian Hospital offers world class care, with the largest solid organ transplant program in the nation. Safety and quality are top priorities for the hospital and they have created an award-winning "Patient Safety Fridays" program that has been adopted by medical centers throughout the country.

It brings immense honor to the fifteenth district of New York and to the state as a whole, for the commendable work of this hospital to be recognized on a national scale. I congratulate New York—Presbyterian, the President and CEO of the hospital, Dr. Herbert Pardes, and encourage them to keep up the great work.

RECOGNITION OF BEVERLY ARMSTRONG AND HER SERVICE TO THE UNITED STATES OF AMERICA AND THE UNITED STATES ARMY

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. OLVER. Mr. Speaker, I rise today to recognize the invaluable service of Beverly Armstrong to the United States of America. Like many military spouses, Beverly has devoted her life to the United States Army as the wife of Retired Sergeant First Class John P. Armstrong and as a Department of the Army Civilian. After twenty-one years of loyal and dedicated service to the U.S. Army as a civilian employee, Beverly retired from Fort Devens, Massachusetts on June 30, 2011.

Beverly Armstrong was born in Fredericksburg, Virginia on October 11, 1947. Beverly met SFC Armstrong when he returned to Virginia in 1967 from his first tour of duty in Vietnam and they married two months later. Shortly after, SFC Armstrong was deployed to Fort Wainwright, Alaska and Fort Leonardwood, Missouri with Beverly by his side. SFC Armstrong was deployed to a second tour of duty in Vietnam two years later where he was wounded by gunfire. SFC Armstrong returned to active duty in Korea and Germany while Beverly remained in the United States. Their last active duty posting was at Fort Devens, Massachusetts where SFC Armstrong retired in 1986.

Beverly and SFC Armstrong both returned to the U.S. Army in 1989 as civilian employees. Beverly continued serving her country and its military as a Military Pay Clerk, Statistician at the U.S. Army Hospital, and a Procurement Clerk and Purchasing Agent, all at Fort Devens. Later, as a Contract Specialist within the Fort Devens Contracting Office, Beverly honored her country by processing contracts for soldiers involved in Operations Desert Storm, Desert Shield, and Enduring Freedom. During her tenure as a federal employee with the U.S. Army, Beverly served with pride and valor just as she has served her country throughout her life.

Beverly Armstrong contributed twenty-one years of civilian service in addition to over forty years as a military spouse. Beverly stood by SFC Armstrong through six deployments including three overseas and one in a combat zone. Military families sacrifice much in the support of our troops. It is only fitting that all Americans recognize their considerable service for our country. On the occasion of her retirement, I commend Beverly for an extensive and auspicious civilian career with the U.S. Army and express my sincere gratitude for her distinguished service to the United States of America.

ADDRESSING OUR NATION'S POVERTY PROBLEM

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. BUTTERFIELD. Mr. Speaker, earlier today my colleagues spoke about poverty in

America. I regret that I could not join them at that time and now I wish to submit my own remarks. These are very tough times for rural districts such as the one I represent in the northeastern corner of North Carolina. It is the fourth poorest Congressional District in the U.S. 24 percent of the people I represent and 36 percent of the children live below the poverty line. Those are chilling statistics.

There are enormous racial disparities in poverty rates, and they are only getting larger. According to the U.S. Census Bureau, 25.8 percent—one in four—of all black Americans live in poverty compared to an overall national poverty rate of 14.3 percent. This compares to 25.3 percent poverty among Hispanics, 12.5 percent among Asians and 9.4 percent among whites.

The poverty problem in America is getting worse; not better. In 2006, the overall poverty rate was 12.6 percent, and in 2008, the overall poverty rate was 13.2 percent. The poverty rate now is the highest it has been since 1994.

Other indicators are equally alarming. More Americans than ever find themselves in need of food. In 2009, 14.7 percent of U.S. households had difficulty providing enough food for family members at some point during the year. This is the highest level observed since the U.S.D.A. started monitoring food security in 1995. From 2007 to 2009, the number of households using food pantries rose by 44 percent from 3.9 to 5.6 million households.

Similar trends of racial disparities exist amongst individuals lacking health insurance coverage. According to the U.S. Census Bureau, 21 percent—one in five—black Americans are uninsured. This compares to 12 percent among whites and 17.2 percent among Asians. The number of uninsured children has risen to 7.5 million. In total, over 50.7 million people, or 16.7 percent of the country's population lack health insurance coverage—a dramatic increase from 46.3 million in 2008.

Poverty, hunger, and suffering are increasing—especially for people of color—during these difficult economic times. These are sad and terrible realities that a distressing number of my constituents face.

My district has many vivid and unfortunate illustrations of poverty: nearly one in 20 homes in some counties do not have a telephone or a kitchen, and many of my constituents are still living without indoor plumbing. As the national numbers show, eastern North Carolina is not unique in its poverty or suffering. People are poor, getting poorer, and are largely being ignored by policy makers all across the country.

Recent budget plans offered by the other side of the aisle would cut spending from most safety net programs, such as Medicare, Social Security, and food security programs, while increasing defense spending. If these misguided plans are passed into law, the impacts would be felt by all Americans and we would face a second Great Recession.

As we face an impending debt crisis and unsustainable levels of spending, we must balance our ongoing commitments to job creation and tax code reform while ensuring changes are not made at the expense of children, minorities, and seniors. We have a moral obligation to fight for the millions of Americans who are overlooked and suffering each and every day.

Mr. Speaker, we must work together toward developing comprehensive strategies to eradicate the growing poverty and hunger in the world's wealthiest nation.

IN HONOR OF THE AMERICAN VOLUNTEER GROUP ''FLYING TIGERS''

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to honor the American Volunteer Group (AVG) known in China as ''The Flying Tigers,'' on the occasion of its 70th anniversary.

In 1941, Chinese Generalissimo Chiang Kai-shek authorized retired U.S. Lieutenant General Claire Lee Chennault to create a group of American pilots and airmen to assist and train Chinese aerial forces. With President Franklin D. Roosevelt's permission, Armed Forces members were allowed to volunteer for this assignment. In total, 97 pilots and 185 ground personnel from the U.S. Army, Navy, and Marine Corps volunteered.

The group faced many initial challenges. To start, the group had 100 P–40 fighter planes (painted with the now-famous ''shark's face'' nose), many of which were in less than ideal condition. Additionally, the group had only four months to train and prepare before action started. However, the AVG was able to establish three separate squadrons: Adam and Eve, the Panda Bears, and Hell's Angels.

The group first saw action on December 20, 1941, just 12 days after the attack on Pearl Harbor. While U.S. air forces and the Royal Air Force were generally unsuccessful against the Japanese at the war's onset, the AVG was notably successful, largely due to Chennault's innovative fighting tactics.

For their efforts, at the group's 50th anniversary, the AVG was rewarded veteran status for service in World War II. The following year they were also rewarded with the Presidential Unit Citation. In 1992, each member of the AVG ground personnel was awarded the Bronze Star and pilots were awarded the Distinguished Flying Cross.

Mr. Speaker and colleagues, please join me in honoring the American Volunteer Group ''Flying Tigers,'' whose bravery and courage in the face of incredible difficulties will inspire future pilots and military servicemen and women for years to come.

COMMEMORATING THE 37TH ANNIVERSARY OF THE TURKISH OCCUPATION OF CYPRUS

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Ms. BERKLEY. Mr. Speaker, I rise to call my colleagues' attention to the 37th anniversary of the Turkish tragic invasion of Cyprus. Turkey's unlawful occupation, which began on this day in 1974, left thousands of innocent Greek Cypriot civilians without their homes, their land, and their families. It is crucial for us to commemorate this unfortunate situation and assist the people of Cyprus in reaching a solution.

Many of the Cypriot generation who suffered the invasion have not lived to see justice or a resolution to this conflict. Although many of the survivors have had the opportunity to return to their homes on the northern side of the island, it was only to discover them occupied by Turkish settlers.

Only Turkey recognizes the occupied northern side of the country as a Turkish Cypriot state, but it does not even provide a valid standard of living to their own citizens. This was made evident through the recent demonstrations by Turkish Cypriots who have displayed their own dissatisfaction with the Turkish occupation.

Thirty-seven years after the invasion, the Turkish government continues to throw obstacles in the path to peace. Instead of compromising, Turkey threatens a deadlock on relations between Turkey and the European Union if the Republic of Cyprus takes over the presidency of the European Union in July 2012. It is clear that Cypriots of all kinds are ready for peace, but how can peace be reached when Turkey will not even accept Cyprus as a member of the European Union? The time has come for Turkey to end their threats, withdraw their troops, and return the territory that is not rightfully theirs. That way, the Cypriots—and the Cypriots alone—can make the decisions affecting their future.

DEBT REDUCTION PLANS EFFECTS ON POVERTY

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Ms. FUDGE. Mr. Speaker, I rise today to highlight the devastating effects of the Republican agenda on the poor. Debt reduction plans that gut social safety net programs will put millions of low-income families at risk.

According to the U.S. Census, the number of people in poverty in 2009—43.6 million—is the largest number in the 51 years for which poverty estimates have been published.

In my home state of Ohio, 15.2 percent of the state's population lived in poverty in 2009. Among African-American seniors, 67 percent are at or below the poverty line, and 12 percent of African Americans rely on Medicare to survive.

Cuts to Medicaid will disproportionately affect African-American communities. In 2009, 27 percent of African-Americans—approximately 10 million people, including 6 million children—were covered by Medicaid.

When everyone talks about the budget, all you hear about are numbers. Behind those numbers are people: hard-working Americans or the unemployed or those who are just getting by.

There is an urgent need to resolve the debt ceiling issue and it is beyond irresponsible not to raise the debt limit. We all agree that we have to responsibly reduce the deficit, but not on the backs of the most vulnerable. My job in Congress is to be a voice for the voiceless and I will fight to help these Americans by opposing the Republican budget.

HONORING THE LIFE OF U.S. NAVY CORPSMAN JEFFREY L. WIENER

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mrs. McCARTHY of New York. Mr. Speaker, I rise today to recognize the life of U.S. Navy Corpsman Jeffrey L. Wiener, and honor his memory through the dedication and renaming of the Lynbrook Post Office.

Jeffrey, a native of Lynbrook, NY, dedicated his life to public and volunteer service as a volunteer firefighter, AMT and Navy Corpsman. Jeffrey joined the Navy shortly after September 11, 2001 and immediately volunteered to be assigned to a fighting Marine infantry company. Jeffrey trained as a fighting infantryman who also provided medical services to those who had been wounded. In February of 2005, Jeffrey arrived in Iraq and shortly after, was assigned to a Marine Mobile Assault Platoon (MAP).

On May 7, 2005, while serving with his team in Al-Anbar Province in Iraq, Jeffrey was killed while attempting to help another platoon involved in combat. Jeffrey made the ultimate sacrifice while serving and defending our country and it is for this reason that the U.S. House of Representatives passed a resolution to dedicate the Lynbrook Post Office in his honor.

As of Friday, July 22, 2011, the Lynbrook Post Office will be known as the ''Navy Corpsman Jeffrey L. Wiener Post Office Building.'' This is a fitting tribute to Jeffrey's honor and memory. Jeffrey and his family made the ultimate sacrifice for this country and this is a small gesture to thank them and honor the memory of such a brave and dedicated hero.

Mr. Speaker, it is with great honor and appreciation that I acknowledge the accomplishments of HM2, Jeffrey L. Wiener, USN and pay tribute to him and his family through the dedication of the Navy Corpsman Jeffrey L. Wiener Post Office Building.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. CAPUANO. Mr. Speaker, earlier in the week I missed several rollcall votes and I wish to state how I would have voted had I been present:

Rollcall No. 601—Yes.

Rollcall No. 603—No.

Rollcall No. 604—No.

Rollcall No. 605—Yes.

Rollcall No. 606—No.

Rollcall No. 608—No.

Rollcall No. 609—No.

Rollcall No. 610—Yes.

Rollcall No. 611—No.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is $14,342,887,364,361.82.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $3,704,461,618,068.02 since then.

This debt and its interest payments we are passing to our children and all future Americans.

IN RECOGNITION OF THE FAMILIES OF OUR LADY QUEEN OF ANGELS' CELEBRATION OF THE 125TH ANNIVERSARY OF OUR LADY QUEEN OF ANGELS CHURCH

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. RANGEL. Mr. Speaker, I rise today to honor, recognize, and celebrate the Families of Our Lady Queen of Angels in celebration of the 125th anniversary of the founding of Our Lady Queen of Angels Church.

Our Lady Queen of Angels Church was constructed in 1886 at the urging of the New York Archbishop Corrigan for the German community that lived in the neighborhood. The church, located in East Harlem, was built by Father Bonaventure, a Capuchin Friar who founded the Capuchins in New York City. The building was designed as a replica of the Portiuncula, the chapel where Francis of Assisi died. Friar Solanus Casey, the only American Capuchin to become Venerable lived at Our Lady Queen of Angels during the 1920s and was very devoted to the congregation. The church holds a rich religious history and a symbolic legacy for the Capuchins.

The church has been an important feature of the East Harlem Community for 125 years. The congregation has opened its doors, providing service and hope, to the poor and immigrant communities. The church has united the community and provided a welcoming place to practice the Catholic faith.

On February 12, 2007 Cardinal Egan, the Archbishop of New York ordered that the church be closed immediately. Although the building itself was closed, the families of Our Lady Queen of Angels refused to abandon the spirit of the parish community. Every Sunday since the closing the congregation has gathered on the sidewalk in front of the church to conduct their own service. Lacking a priest, they conduct the services themselves; the parishioners stand in a tight circle to sing hymns and discuss Bible passages in the context of their own lives. These services take place without fail, regardless of rough weather conditions. In addition to the weekly services, the congregation goes on retreats, celebrates Catholic holy days, and hosts community and ethnic special events.

This parish has demonstrated the power and fortitude of community. They refused to allow the loss of a physical space to destroy the bonds that they share with each other. The congregation serves as a beautiful portrayal of the positive outcome produced by uniting in the face of adversity.

I ask my colleagues and our Nation to join me in this special Congressional Recognition of the Families of Our Lady Queen of Angels as they celebrate the 125th anniversary of the church founding.

37TH ANNIVERSARY OF THE TURKISH INVASION OF CYPRUS

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. ROYCE. Mr. Speaker, today marks the 37th anniversary of the Turkish invasion of Cyprus. The 1974 invasion claimed the lives of approximately 5,000 Greek Cypriots, while 200,000 were forcefully displaced from their homes. This is a dark chapter not only for Hellenes, but for all of Europe.

Thirty-seven years later, 43,000 Turkish soldiers still occupy over 35 percent of Cyprus illegally. This occupied area is one of the most militarized areas in the world, despite the fact that Turkish and Greek Cypriots live in relative harmony.

An agreement for a bi-communal governance and power sharing between Greek and Turkish Cypriots would not only serve the best interests for all of Cyprus, but it would also serve the U.S. in promoting peace and stability in the Eastern Mediterranean.

Cyprus has supported the U.S. in the efforts to counter terrorist-related activities and threats to peace and security. During the wars in Afghanistan and Iraq Cyprus has provided over-flight and landing rights to the United States aircraft and port access for U.S. ships. In Beirut barracks bombing in 1983 Cyprus provided the staging ground for the U.S. evacuation and rescue efforts. In July–August 2006, Cyprus served as the principal transit location for people evacuating Lebanon.

Cyprus shares the United States' deep and abiding commitment to upholding the ideals of freedom, democracy, justice, human rights, and the international rule of law, making the unification of Cyprus important. History shows us that Cyprus is a reliable partner to the U.S.

I've met with Cypriot President Demetrius Christofias and his dedication to reunifying Cyprus is commendable, and continues to be his top priority. If only he could be met halfway by Turkey, Cyprus could flourish faster in this global economy with a unifying identity and single sovereignty.

IN HONOR OF MR. WILLIAM DENIHAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Mr. William Denihan, who is being honored as a Home Grown Hero for his

work with Cudell Improvement, Inc. As founder and the first president of the organization, Bill has shown his commitment to ''neighbors helping neighbors'' and revitalizing the Cudell/Edgewater neighborhood of Cleveland.

Bill has held various leadership roles at the state, county, and local levels for years, always displaying his passion for the public good. He has served as Director of Public Service for the City of Cleveland, Director of Human Resources for the State of Ohio and Cuyahoga County, Executive Director of Ohio's State Employee Relations Board, and Acting Chief of Police. Bill has also taught at Cleveland State University's College of Urban Affairs and at the Ohio Certified Public Managers Program.

Bill founded Cudell Improvement, Inc. in 1974 and served as its first President. The organization is committed to providing assistance primarily to the Cudell/Edgewater neighborhood of Cleveland in a variety of areas, including real estate development, crime prevention, commercial revitalization, and youth services.

Bill currently serves as the Chief Executive Officer for the Alcohol, Drug Addiction, and Mental Health Services Board of Cuyahoga County. He is married with 11 children and 34 grandchildren.

Mr. Speaker and colleagues, join me in honoring Mr. William Denihan who has spent his career serving the people of Ohio and the Cleveland area.

IN HONOR OF MARIN ALSOP

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. FARR. Mr. Speaker, I rise today to honor Maestra Marin Alsop, whose visionary and charismatic leadership has made the Cabrillo Festival of Contemporary Music in Santa Cruz, California our nation's global leader in the creation and presentation of contemporary music for orchestra.

Born in New York City, Marin Alsop attended Yale University and received her Master's Degree from The Juilliard School and was the first woman to be awarded the Koussevitsky Conducting Prize from the Tanglewood Music Center where she became a protégé of Leonard Bernstein. She has gone on to make history as the first woman to lead a major American orchestra; the first conductor to receive a MacArthur Foundation Fellowship (''genius award''); and the first artist to win both Gramophone's Artist of the Year and the Royal Philharmonic Society's Conductor's Award in the same season. Other prizes include a European Women of Achievement Award, a Classical BRIT Award for Best Female Artist, the Royal Philharmonic Society's BBC Radio 3 Listeners Award, Musical America's Conductor of the Year, and induction as a fellow to the American Academy of Arts and Sciences.

Described by the New York Times as ''a conductor with a vision of what an American orchestra could be in the 21st century,'' Marin Alsop has made Cabrillo a place where composers, musicians, audiences, and the community interact, and where everyone contributes to the process of modern symphonic music making. By the force of her genius and her genuineness, the Festival has become a creative gathering like none other in the world.

A Music Director of vision and distinction who passionately believes that ''music has the power to change lives,'' Marin Alsop has made the Festival a creative force on the international stage. No longer just a presenter of new works, Cabrillo is now an originator of new works, with more and more composers choosing the Festival for the first performance of their newest works. This season there will be a historic seven world premieres, each written to celebrate her special 20th anniversary season.

Mr. Speaker, for all that she has done for living composers and the future of symphonic music as a vibrant American art form, and for all that she will undoubtedly achieve in the years ahead, I extend my most sincere appreciation and congratulations to Marin Alsop on the occasion of her 20th anniversary as music director of the Cabrillo Festival of Contemporary Music.

HONORING THE LIFE OF PASTOR MARY ALLEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Pastor Mary Allen for her devotion and work with her church and within her community.

Pastor Mary Allen is a loving wife and proud mother of two beautiful children, Minister Monica Allen and Minister Clinton Allen. She has been married to Bishop Clenso Allen for 45 years and they celebrated their wedding anniversary on May 3, 2011.

Prior to her extensive involvement with her church, Pastor Mary Allen was an employee at Chase Manhattan Bank for 17 years. She eventually left the business world to pursue a calling in prayer and righteousness. Pastor Mary Allen has taken up leadership roles as the head of the Daughters of Naomi Women Empowerment Fellowship in her church and as the Director of the Calvary Outreach Ministry. Pastor Mary Allen uses all at her disposal to engage the needy and spread her ministry to them.

In 1995 Pastor Mary Allen attained a higher level of ministry as she was ordained as an Elder. She pursued this higher level of ministry after God called her to proclaim His word and spread her faith among her peers. She is presently serving as co-Pastor under the leadership of her husband Bishop Clenso Allen.

Pastor Mary Allen has acquired several accolades over the years because of her work with the church. On June 15, 2008 she received her Doctor of Divinity Degree from International Christian University in Chesapeake Virginia. In March 2010 she was named by District Attorney Charles Haynes along with 30 other women as Outstanding Women in Brooklyn, New York.

Pastor Mary Allen continues to spread the word of the Lord and works fervently within her community to help the needy. Her favorite Scripture can be found in the book of Philippians 4:13, ''I can do all things through Christ that strengthens me''.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Pastor Mary Allen.

HONORING THE LIFE OF HAROLD BLANCHARD MACKENZIE

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. ROSKAM. Mr. Speaker, I rise today to honor the life of Harold Blanchard Mackenzie, a model constituent and a loyal citizen to the United States.

Harold was born on October 14, 1913, in Forsyth, Montana. Harold's great-grandfather and grandfather, Jonathan and Charles Blanchard, were the first two Presidents of Wheaton College in Wheaton, Illinois, where he would often visit as a young boy. He eventually attended Wheaton College, graduating in 1936. He then went on to graduate from law school at Northwestern University in Chicago in 1940 and was admitted to the Illinois Bar.

That same year Harold felt the call of duty and enlisted in the Illinois National Guard in what would become the 9th Armored Division. In 1944, along with the Division, Harold sailed to Europe and participated in some of the most pivotal moments of World War II, including the Battle of the Bulge, the Battle at Bastogne, and the capture of Ludendorf Bridge at Remagen, Germany, in 1945. Harold was also a witness to the horrors of the Holocaust when he visited Buchenwald concentration camp a day after its liberation.

Upon returning home to Wheaton, Harold opened his own firm and practiced law for over fifty years, earning widespread respect and admiration for his legal advice. Always a generous man with a servant heart, Harold would often do work pro bono.

This generosity was a reflection of his deep faith in God. An active member of Glen Ellyn Evangelical Covenant Church for more than fifty years, Harold would frequently serve on the church's Missions and Evangelism Committees. He also played a key role in the founding of the Christian Medical Society, the Christian Booksellers' Association, the Evangelical Child and Family Agency, and the Missionary Furlough Homes Foundation.

Mr. Speaker and Distinguished Colleagues, Mr. Harold Blanchard Mackenzie was a man who understood well his duty to family, to his country and to God. After ninety-seven years of a life of commitment, love and sacrifice, he is worthy of our deepest honor, respect and admiration. Please join me in remembering him as a shining example of the best the ''Greatest Generation'' ever had to offer.

IN HONOR OF MAUREEN SILO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. ENGEL. Mr. Speaker, Maureen Silo, beloved spouse of Susan McMillan, daughter of the late Mary Agnes Burns and the late James Thomas Hanlon, sister to Jean Marie Bruno of Sarasota, FL and James Francis Hanlon of

San Antonio, TX and aunt of Matthew Hanlon of San Antonio, TX, Jena Kolt, Kairi Kolt and Lucian MacMillan of the Bronx, passed away on July 17, 2011 at Calvary Hospital, Bronx, NY.

A native of the Bronx, Maureen entered military service in the U.S. Army in 1974. After leaving the Army, Maureen moved back to NYC and became the first female high rise window washer in the City of New York! Maureen worked at the Bronx VA where she met her spouse Susan in 1992. Susan and Maureen became official domestic partners on April 19, 1994. They were legally married on October 4, 2008 in Wellfleet, MA.

Always a humanitarian and champion for the underdog, Maureen found her calling in helping others. She became a social worker after getting her B.A. in Social Work from Lehman College and then graduated from Yeshiva University with an M.A. in Social Work. She worked in the burn unit at Jacobi Hospital during her undergrad internship and at the NYC Gay and Lesbian Anti-violence Project during her graduate internship. She continued to work at AVP after receiving her M.A. for four more years. She then went to work for NYC HRA in July of 2001 as a social worker for victims of domestic violence. She transferred to the Department of Homeless Services in 2004 and became a supervisor/manager.

Maureen also volunteered with the American Red Cross as a mental health worker. She was on the Bronx Disaster Response Team for three years. She worked in Mississippi for two weeks after Hurricane Katrina.

Maureen was a great lover of animals and rescued and provided a safe, secure, loving home for six dogs and four cats with her spouse Susan over a period of 18 years.

In Judaism there is a phrase about a Woman of Valor and Maureen Silo was such a woman. Through her actions she had shown us all how to live with love and grace even through life's most challenging times. I join with her family and friends in their time of grief and am grateful for her dignity and courage. As said in the Bible: "Who can find a virtuous woman for her price is far above rubies?" Well, that woman was Maureen Silo.

RECOGNITION OF THE 200TH ANNIVERSARY OF THE TOWN OF GREENFIELD, MASSACHUSETTS AS FRANKLIN COUNTY'S SEAT

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. OLVER. Mr. Speaker, I rise today to recognize the 200th anniversary of the designation of the town of Greenfield, Massachusetts as the county seat of Franklin County. The town of Greenfield was incorporated in 1753 and named for the nearby Green River. Hampshire County was divided to create Franklin County in 1811, and Greenfield was designated as the seat of government for Franklin County. After 200 years of development and innovation, Greenfield and Franklin County continue to thrive on the exceptional enthusiasm of their citizenry.

Greenfield has long been associated with commercial development and economic diversification. The strategic location at the confluence of the Deerfield and Connecticut Rivers provided advantages to manufacturers in the 18th century. Throughout the 19th century, major transportation routes linking Springfield, Massachusetts to New Hampshire and also Boston to New York began to pass through Greenfield. The town eventually grew to accommodate the influx of manufacturers which lasted until the conclusion of World War I in 1918.

The ingenuity and resolve of Greenfield citizens ensured that the Great Depression did not cripple its agricultural and industrial workers, as happened elsewhere in America. The U.S. engagement in World War II then worked to stoke new business opportunities in Greenfield, and these economic openings allowed the town and its residents to quickly rebuild from the Depression and spring forward and economically develop further. In 2003, Greenfield grew to the point of adopting a mayoral form of government—thus, officially becoming a city in Massachusetts—in order to continue and improve upon on its tradition of providing superior recreational, educational and business opportunities for its residents.

On the occasion of the 200th anniversary of the designation of the town of Greenfield, Massachusetts as the county seat of Franklin County, I congratulate its citizens and praise their dedication and perseverance throughout the town and city's history. I look forward with enthusiastic support as we work together for a prosperous future.

RECOGNIZING FRANK WORTHINGTON

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. BUTTERFIELD. Mr. Speaker, I rise to properly recognize the life and military service of Private Frank Worthington of the United States Colored Troops. Private Worthington, a former slave, served during the Civil War and on August 13, 2011, his family will remember his life and military service at Maplewood Cemetery in Wilson, North Carolina with a Civil War headstone dedication ceremony.

Frank Worthington was born a slave. It was a sad and troubled time in our Nation's history. He was a slave on a plantation located in Pitt County, North Carolina. Upon escaping from the plantation, he joined the United States Colored Troops of the Union Army on December 13, 1864 in New Bern, North Carolina. Private Worthington served honorably through the remainder of the War in Companies B & E of the 14th Regiment United States Colored Heavy Artillery.

Recognizing the brave sacrifices of African American soldiers during the Civil War, Private Frank Worthington and 209,144 other names are proudly displayed on the Wall of Honor at the new African American Civil War Museum which will hold its grand opening on July 18, 2011. The new African American Civil War Museum will honor the contributions and sacrifices made by African American soldiers during the Civil War in the preservation of our Union. The inclusion of Private Worthington's name on the Wall of Honor is a worthy tribute, and I know his descendants will feel an immense sense of pride knowing that his name will be forever included in this wonderful museum.

Private Worthington will be further remembered on August 13, 2011 when his family will gather to dedicate an official Civil War headstone from the Department of Veterans Affairs. The family has organized a three-day reunion, culminating with the dedication of the headstone which will forever memorialize his heroic and selfless action on behalf of the Union.

I ask my colleagues join me in offering sincere congratulations and our deepest sense of gratitude to the family of Private Frank Worthington for receiving, after almost 100 years since his death, the proper recognition of a life and military service that contributed immensely to our great country. Our Nation is forever indebted to the service of Private Frank Worthington and other African Americans who served during the Civil War.

TRIBUTE TO THE SERVICE OF REVEREND ARTURO GOMEZ

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to the spiritual leadership and service of Reverend Arturo Gomez. I want to extend my congratulations to Father Gomez on his retirement on July 24, 2011, after over thirty years of priesthood.

Father Gomez has served our community with humility and compassion. He will leave a legacy of service and spiritual leadership that most people can only hope to strive for. Father Gomez has touched the lives of many people. I want to thank him not only on behalf of our community, but as a parishioner, for his service to the Congregation of St. Catherine of Siena Parish, in union with the diocese of San Bernardino.

Father Gomez's parents and faith in God have helped shape him into the man he has become today. Family has always been a central part of Father Gomez's life. He has said that after Jesus and Mary, his greatest role models of goodness are his parents. They are his heroes. His father, Auerliano, immigrated to the United States from Jalpa, Zacatecas, Mexico, and met his mother, Petra, in Santa Paula, California. Father Gomez is the third oldest of the twelve children the couple raised.

Father Gomez has lived a life of service to others. After graduating at the top of his high school class, he joined the United States army because he was grateful to God and his country for the aid his family received. Father Arturo trained and served as a medic in Europe. Once he returned home he continued to practice nursing to support his widowed mother and eight younger siblings. Father Arturo waited to enter religious life until the last of his siblings completed high school.

His diligence and steady faith allowed him to earn a Bachelor's degree followed by two Master's degrees. He was ordained into Priesthood on August 23, 1980. Father Gomez entered religious life at the age of thirty and will retire after over thirty years of humble service. Heeding the commandment, love thy neighbor, he has tirelessly advocated on behalf of members of his parish facing deportation.

Father Gomez is a beloved guide and Shepherd to our community. From performing the last rights, to ministering to his flock, he is there to offer a helping hand and his prayers along the way. He has served our community with unwavering faith in the good of humankind. On behalf of my wife, Barbara, and my children, Councilman Joe Baca Jr., Jeremy, Natalie, and Jennifer, we would like to congratulate Father Gomez for his leadership, service, and guidance. We will miss him and his special blessing that he bestowed to me and my family. May the Lord continue to grant him wisdom and watch over him.

STAFF SERGEANT EDWARD D. MILLS JR. REMEMBRANCE

HON. JASON ALTMIRE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. ALTMIRE. Mr. Speaker, on May 26, 2011, a hero from western Pennsylvania was lost in Afghanistan. Staff Sergeant Edward D. Mills Jr. was killed by a bomb planted by insurgents as he was serving bravely on his third overseas tour since joining the Army in 2005.

I, along with all Americans, am extremely grateful for his brave and honorable service in the United States Army during such an important period in our nation's history. Mills graduated from Union High School and is survived by his wife, Amanda Brenner and parents Edward Mills Sr. and Kathie Greenawalt from New Castle, Pennsylvania.

During his 6-year career as an infantryman, Staff Sergeant Mills received the Air Medal, Army Commendation Medal, Army Achievement Medal, Army Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal with Arrowhead Device, Iraq Campaign Medal, Army Service Ribbon, Overseas Service Ribbon, North Atlantic Treaty Organization Medal, Air Assault Badge, Parachutist Badge, Pathfinder Badge, and Combat Infantryman Badge.

He was an example of service, dedication, and the values that make western Pennsylvania and our country great. We will miss him dearly as a hero and asset to our community, and my thoughts and prayers go out to his family in New Castle.

TRIBUTE TO FRED HELMSING

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. BONNER. Mr. Speaker, I rise with sadness to note the recent passing of Mr. Fred Helmsing, a prominent Mobilian and a distinguished south Alabama attorney who was much respected in our community. Mr. Helmsing passed away on July 9 at the age of 70.

A native of Mobile, Fred was a graduate of McGill Institute, Spring Hill College, the University of Alabama School of Law, and New York University. Upon completion of his education, he returned home to Mobile where he embarked upon a long and respected career as an attorney.

Over more than four decades in the legal profession, Mr. Helmsing rose to become the senior partner of one of Mobile's leading law firms, Helmsing, Leach, Herlong, Newman and Rouse. He was also active in many local civic and charitable organizations.

A noted jurist who specialized in complex civil and white-collar criminal litigation, Mr. Helmsing was a member of the Alabama Bar Association, the Florida Bar Association, the Mobile County Bar Association, the Litigation and Taxation Sections of the American Bar Association, and the Farrah Law Society. He was also a fellow in the America College of Trial Lawyers and the Alabama Law Foundation.

Known to his family and close friends as "Big Fred," Mr. Helmsing took great pleasure in the outdoors and conveyed his love of nature to others. He held a livelong passion for travel and hunting and fishing and was fond of fly-fishing in the American West and shooting pheasants in England. He also spent much time at his hunting lodge in Monroe County, Alabama.

Mr. Speaker, Mobile's legal community and, indeed, all of south Alabama lost a dear friend with Fred Helmsing's passing. I wish to extend my deepest condolences to his lovely wife of 42 years, Susan; their sons, Frederick and Guy; their daughter, Margaret; his mother, Gertrude; and his two brothers, sister and five grandchildren, as well as a long list of close friends. You are all in our thoughts and prayers as, together, we honor the legacy of a truly good man and great friend.

HONORING THE EFFORTS OF ABBY WAMBACH AND THE UNITED STATES WOMEN'S SOCCER TEAM

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. REED. Mr. Speaker, I rise today to honor Abby Wambach and the U.S. Women's soccer team for their display of dedication, sportsmanship and skill in the 2011 FIFA Women's World Cup.

Abby Wambach grew up in Pittsford, NY in New York's 29th Congressional District. Her skill set earned her accolades from Umbro and the National Soccer Coaches Association of America following her senior season at Our Lady of Mercy High School in Rochester, NY.

Abby's 600 minutes of play in the 2011 FIFA Women's World Cup was the most of any other participant and her four goals earned her the 'bronze boot'. Including her precision goal in the 104th minute of play in the finals, Abby's four goals were all made using her head, a skill that has defined her as a threat within the keeper's box.

I am proud of the hard work Abby Wambach and the United States Women's soccer team put forth in the 2011 FIFA Women's World Cup and I await their continued growth as a team in preparation for the 2015 tournament in Canada.

ADDITIONAL CONCERNS REGARDING MATTHEW OLSEN'S NOMINATION

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. WOLF. Mr. Speaker, I submit additional concerns about the President's nomination of Matthew Olsen to lead the National Counterterrorism Center.

During a May 7, 2009, Senate hearing, Attorney General Eric Holder said,"With regard to those you would describe as terrorists, we would not bring them into this country and release them, anyone we would consider to be a terrorist."

It is now well known from numerous press accounts, including Newsweek, The Washington Post, and National Journal, that the Obama Administration's Guantanamo Review Task Force, led by Matthew Olsen, recommended the transfer and release of at least two Uyghur detainees, who were members of a recognized terrorist group, to the United States in April 2009. The secret transfer was to take place on or around May 1, 2009.

The Uyghur detainees held at Guantanamo Bay are trained terrorists and members or associates of the Eastern Turkistan Islamic Movement (ETIM), a designated terrorist group affiliated with al Qaeda, as designated by both the U.S. government and the United Nations. Whether their intended victims were Chinese or Americans, a trained terrorist is a terrorist, under U.S. immigration law.

According to testimony and government documents, many of the Uyghur detainees have admitted to training at ETIM camps in Tora Bora under the direction of ETIM leader Abdul Haq prior to their capture by Pakistani authorities in the Federally Administered Tribal Areas (FATA) of Pakistan.

By recommendation of the task force led by Mr. Olsen, the Uyghur detainees were to be secretly settled in an apartment in northern Virginia under an unknown immigration statute. The immigration status of these detainees remains one of the critical unknown questions surrounding this failed effort. A careful reading of U.S. immigration law shows a broad and strict ban on the entry of any member of a terrorist organization.

As a former special counselor to the attorney general, Mr. Olsen should have been well aware of the strict statutory restrictions that would bar the admission of any alien who is affiliated with a recognized terrorist organization into the U.S. As the Senate Select Committee on Intelligence considers Mr. Olsen's nomination to lead the National Counterterrorism Center, they should carefully consider his judgment in recommending the legally-questionable secret release of the Uyghur detainees into the U.S.

Under Title 8, Chapter 12 of U.S. Code on "Inadmissible Aliens," the law clearly and unconditionally bars a member, representative or associate of a recognized terrorist organization from receiving any sort of visa, refugee or asylum to the U.S. The law prohibits entry to the U.S. for any individual who has "engaged in a terrorist activity" or is "a representative of a terrorist organization," "a political, social, or other group that endorses or espouses terrorist activity," "is a member of a terrorist organization," "endorses or espouses terrorist

activity or persuades others to endorse or espouse terrorist activity or support a terrorist organization,'' or ''has received military-type training from or on behalf of any organization that, at the time the training was received, was a terrorist organization.''

The only limited exception to this strict ban is for the attorney general to exercise ''parole'' status into the U.S. for a limited amount of time in the case of ''significant public benefit.'' If this option were to be exercised, it would conflict with the administration's stated intent to permanently settle the Uyghur detainees in the U.S. It also would raise serious questions about whether the task force, led by Mr. Olsen, recommended the settlement of terrorist detainees would have ''significant public benefit.''

The ETIM is a terrorist group that uses violence against civilians for the creation of an independent, Islamic state—in the image of the Taliban's Afghanistan—in the Xinjiang region of China. The group is linked to a number of terrorist attacks in China during the mid-1990s, including several bus bombings that killed dozens and injured hundreds of innocent civilians, as well as threats of attacks against the 2008 Olympics in Beijing. Over the past decade, the group has predominantly operated out of Afghanistan and Pakistan and has developed close links with al Qaeda and the Taliban.

On August 19, 2002, then Deputy Secretary of State Richard Armitage designated the ETIM as ''a terrorist group that committed acts of violence against unarmed civilians.'' The group was designated by the State Department under Executive Order 13224, ''Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten to Commit, or Support Terrorism,'' which defines terrorist as ''activity that (1) involves a violent act or act dangerous to human life, property, or infrastructure; and (2) appears to be intended to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.'' In 2004, the State Department further added the ETIM to the ''Terrorist Exclusion List'' (TEL) under section 411 of the USA Patriot Act of 2001 (P.L. 107–56), which prohibits members of designated terrorist groups from entering into the U.S.

Later in 2002, the U.S. Embassy in Beijing reported that two members of the ETIM were deported from Kyrgyzstan after allegedly plotting to attack the U.S. embassy there. Following the attempted attack, the U.S., Peoples Republic of China, Afghanistan, and Kyrgyzstan asked the United Nations to designate the ETIM as a terrorist group under Security Council resolutions 1267 and 1390, which provide for the freezing of the group's assets.

In April 2009—the same month the release of the Uyghur detainees was being planned—the Obama Administration added the current leader of the ETIM (also recognized as the ETIP), Abdul Hag, to terrorist lists under Executive Order 13224, following U.N. recognition of Haq, under Security Council Resolution 1267, as an individual affiliated with Osama bin Laden, al Qaeda, or the Taliban. According to Stuart Levey, Treasury under secretary for Terrorism and Financial Intelligence, ''Abdul Haq commands a terror group that sought to sow violence and fracture international unity at the 2008 Olympic Games in China.''

The ETIM's relationship with al Qaeda has grown since it was invited by the Taliban to conduct training in Afghanistan in the late 1990s, followed by the move of the ETIM headquarters from the Xianjang region to Kabul in September 1998.9 By 2005, Abdul Haq had been admitted to al Qaeda's ''Shura Council and on November 16, 2008, an al Qaeda spokesman ''stated that a Chinese citizen named 'Abdul Haq Turkistani' was appointed by Osama bin Laden as the leader of two organizations—'al Qaeda in China' and 'Hizbul Islam Li-Turkistan.'' This appointment was also confirmed by Abu Sulieman, a member of al Qaeda.

It is abundantly clear that the Uyghur detainees held at Guantanamo Bay are affiliated with the ETIM and trained under Abdul Haq in 2001. According to the detainees' sworn statement to U.S. authorities, many acknowledged that they had trained in an ETIM training camp in Tora Bora from June to November 2001 and at least one confirmed, ''The person running the camp was named Abdul Haq.''

Following the U.S. invasion of Afghanistan in fall 2001 cooperation between the ETIM and the Taliban increased. It is reported that the ETIM's leader prior to Abdul Hag, Hasan Mahsum, ''led his men to support Taliban and fight alongside them against U.S. and the coalition forces. On 2 October 2003, Hasan Mahsum was killed, along with 8 other Islamic militants, by a Pakistani army raid on an al Qaeda hideout in South Waziristan area in Parkistan.''

Additionally, a January 2008 al Qaeda in Afghanistan publication, ''Martyrs in Time of Alienation,'' identified 120 ''martyrs''—including five Uyghurs from Xianjiang and who trained in Tora Bora—who fought with the Taliban in Afghanistan against U.S. troops. One is reported to have been killed fighting U.S. forces during the invasion in 2001. Hasan Mahsum confirmed, prior to his death in 2003, that ETIM members trained and fought with al Qaeda forces in Afghanistan.

In addition to their affiliation in a designated terrorist organization and association with al Qaeda leader Abdul Hag, these detainees fervently believe in the creation of a Taliban-style Islamist state in northwestern China and do not share American values of respect, tolerance, and religious pluralism. In fact, one recent press account stated that, ''Not long after being granted access to TV [at Guantanamo], some of the [Uighurs] were watching a soccer game. When a woman with bare arms was shown on the screen, one of the group grabbed the television and threw it to the ground, according to the officials.''

Reports indicate that the ETIM's philosophy has dramatically evolved as a result of their training and cooperation with al Qaeda and the Taliban over the last decade. According to two experts, Rohan Gunaratna and Arabinda Acharya, ''In the post-9/11 era, ETIM began to believe in the global jihad agenda. Today, the group follows the philosophy of al-Qaeda and respects Osama bin Laden. Such groups that believe in the global jihad do not confine their targets to the territories that they seek to control . . . [The ETIM] is presenting a threat to Chinese as well as Western targets worldwide.''

Although the Uyghur detainees may not have been considered ''enemy combatants'' by the Obama Administration, U.S. immigration law clearly bars the admission of members of recognized terrorist groups. The Senate should carefully consider the legal steps that Mr. Olsen and his task force recommended be used to bring the ETIM detainees into the U.S. for permanent settlement. If his task force advocated exploiting limited ''parole'' entry for the detainees with the intended goal of permanent settlement, it would go against the letter and spirit of the law.

THE LANDING OF ''ATLANTIS''

HON. BILL POSEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. POSEY. Mr. Speaker, today is a bittersweet day for Florida's Space Coast, for the space program, and for the Nation. As *Atlantis* touched down at 5:57 a.m. today, July 21, 2011, at Kennedy Space Center, another era of exploration closed.

Kennedy Space Center and Cape Canaveral have been the center of America's human space flight program since its inception. Nearly every manned mission has launched from Florida's Space Coast. The Shuttle program is no different. Every Shuttle mission has been processed, assembled, and launched by the talented and dedicated men and women at Kennedy Space Center.

Just as Kennedy Space Center has been an important part of the Shuttle Program, the Shuttle Program has been an essential part of Florida's identity, so much so that it was featured on our State's quarter. From the rumble of the Shuttle lifting off, to the sonic boom felt as the Shuttle traverses Florida on its way to land at Kennedy after another accomplished mission, the Shuttle is a part of Central Florida's culture.

Space Coast residents have cheered the successes the Shuttle Program has seen in its 30 years of service to our Nation: ferrying astronauts, modules, components, and experiments to the International Space Station; launching and repairing numerous satellites including the Hubble; launching three interplanetary probes; and advancing scientific experimentation including microgravity research. After all, the citizens of the Space Coast working at Kennedy Space Center helped make these successes possible.

Our community grieved deeply when, as President Ronald Reagan said, the *Challenger* astronauts ''slipped the surly bonds of this Earth,'' to ''touch the face of God,'' on January 28, 1986, and when the Shuttle *Columbia* failed to make it home on February 1, 2003. The entire Nation wept for the loss of these heroes, but the Space Coast mourned these brave men and women as family.

As we welcome *Atlantis* home for the last time, I would especially like to applaud all of our Shuttle workers from United Space Alliance and other contractors who did the work necessary to keep the Shuttles flying for 30 great years. It is their hard work and dedication that made these missions possible. Our heartfelt gratitude goes out to each and every one of them on this historic, but bittersweet day.

CONGRATULATING NELSON MANDELA ON HIS 93D BIRTHDAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. RANGEL. Mr. Speaker, I join all people in South Africa and across the world in celebrating the Honorable Nelson Mandela's 93d birthday on July 18, 2011. Mandela is an inspirational leader who braved 27 years of imprisonment fighting to free South Africa from the racial oppression of apartheid, and ultimately unified the nation as its first President elected in a free South Africa.

Madiba is my personal hero because he fought and suffered for what was right and did not emerge bitter from the experience. I still remember his graciousness and good humor when I first met him; he started laughing and said, "No, this is not the sponsor of the bloody Rangel Amendment." I am proud to have met and worked with him to bring freedom and dignity to the oppressed in South Africa.

In honor of his birthday, the United Nations recognizes July 18 as Mandela Day. To pay tribute to Mandela's tireless 67-year effort in addressing the biggest issues we face, from combating HIV/AIDS to brokering global peace, we are asked to dedicate 67 minutes to do something for others in need.

I pledge to continue his work to help those in need and encourage everyone to do so as well.

IN HONOR OF THE ''ATLANTIS'' AND THE SHUTTLE PROGRAMS' FINAL MISSION: THE ATLANTIS STS–135—FERGUSON—HURLEY—MAGNUS—WALHEIM

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. OLSON. Mr. Speaker, I submit the following:

Atlantis . . . Hail Atlantis! This, final thrust . . . This The Shuttle's Final Mission, so as such!
Five . . . Four . . . Three . . . Two . . . One . . . Ignition . . . lift off!
As up towards the heavens you now so rush!
As on this day as is such . . . with this your last and most final journey, all our hearts but lie in a hush! As from The Beginning . . . now to The End!
Oh how so quickly, we've all so been taken to so then . . . To such new heights we've all so sped!
So shuttled to back and forth, time and again!
And because of all of this, to what new world's will we one day so transcend?
All because of The Discovery's, The Endeavor's . . . that went forth all in your stead!
As The Challenger, who so met and held that course!
To new Columbia's, with your most heroic force! All in your most heroic blood so shed!
As to lost worlds discovering, and to new ones Atlantis you now report!
Let this Enterprise so continue to go forth!
Of all of these most distant travelers, all out on their most heroic course!
And let not this quest so end!
All in our search for the answers, the truth that we all must so comprehend!
Let Us Go Forth, all in our hearts of youth begin!
And for all of those many journey's, over all of those years.
As have so here, to Man and Womankind meant so much!
While, out upon the face of God you've all so stared! So sped!
All out there on the very edge of death, hurdling through space as you left!
As your fine hearts would so crest!
And because of all its majestic beauty, all in tears you were so left!
As with this final thrust, suddenly how all of those years have so come and gone!
By so fast, so sped!
To find answers, to all of those questions . . . to which all our hearts must so be led!
While, soaring to new heights . . . as you'd crest!
As you've appeared to us so very bright, all in what was said!
As out on the night's horizon, streaking across her skies at dusk in flight . . . full speed ahead!
With all our hopes and dreams, and fears . . . so carried with you up there, as one we were wed!
As together, we've all so waded through . . . through all of those most heartbroken tears!
With all of those broken hearts and dreams, that which so tragically appeared . . .
With but the loss of, all of those most magnificent courageous pioneers!
As but exploration's grave cost so very clear!
Of The Challenger and The Columbia so here!
With all of those fine lives so lost so very dear! SMITH, SCOBEE, McNAIR, ONIZUKA, McAULIFFE, JARVIS, RESNIK, BROWN, HUSBAND, CLARK, CHAWLA, ANDERSON, McCOOL, RAMON . . .
Brave Hearts, all out in their search for new frontiers!
Who so boldly so went forth without fear!
As for them and their families, but hear our Nation's prayers . . . her tears!
As now all of their fine souls are so etched across the heavens, appear's!
As a lesson to all of our young, as to what new heights and worlds . . .
A heart of courage can so climb to, can so come!
As on this day Atlantis, as you So Search For The Truth! All in your hearts of youth, so sung!
While, Reaching For The Stars . . . soaring ever forth, as brilliant, as brilliant as any sun!
All in your quest for knowledge, but Let This Dream Live On!
Let not this be the end, but the beginning of new dreams and suns to form!
As on this Mission, The Shuttle Program so comes to her end!
Let us give praise and thanks, to all of those who have so shown!
So shown us all the way to courage and faith,
whose most magnificent hearts have so carried us with them on their ways . . .
Who once upon a time, let their dreams take flight to new heights . . . as did they!
And go, where no women or man before has so gone!
Who upon all of them, all our very futures are so born!
While, upon such magnificent structures of Man . . . to new heights they would soar!
All because of their most courageous hearts telling them, To Go Forth and Explore!
As up to the heavens, and outer space defying death again once more so spoken all with such grace!
To take Command, as now they so race!
And to all those, who upon this earth who have stood by them so close!
Who at Mission Control,
have so shown such brilliance and such vigilance, when it all so meant the most!
As The Centurions, The Guardians,
of all of those distant travelers up in outer space, who counted upon you, would boast!
Living with them, on the very edge of death as you would host . . .
As on each new day, all of their very lives were placed!
All in what they so faced!
Let not this so be the ending, but the beginning . . . but to keep so sending!
To so sending up explorers to new worlds, up in outer space!
To a world of hopes and dreams, where such hearts of youth can so race . . .
Can so plan and scheme . . . Like JFK's Dream, this pace!
But, to continue this most important race! And Go Forth!
But to find the answers, to new celestial worlds as we are advancing . . .
As already, from all of their gifts, so much has so come forth, exists!
And yet, so much more but still lies ahead . . .
all in our travels up in outer space, all in what is to be written . . . so said!
For only if we go forward steadfast, will all of our futures so be blessed, as come to pass!
So Hail Atlantis, as you take that one last pass . . . around this earth . . .
Take one last long hard look, one last long glance all in its worth!
For all of us here so down upon this earth, as you pass! So, ever must we Endeavor to Discovery!
To find in you Atlantis, new worlds to explore and see!
So Godspeed! Godspeed, fair well Atlantis as you speed!
As you and your kind, are but the very height to where Man and Womankind can so be led!
Because, whenever we ENDEAVOR . . . in our ENTERPRISE to entertain such thoughts . . .
To rise! All in our DISCOVERY, from hearts of courage what can be brought forth . . .
No matter what the cost, and not compromise!
To new worlds and lost shores, to chart our course evermore . . . to new COLUMBIA'S this force . . . or an ATLANTIS to so explore!
Then, will we win as THE CHALLENGER! And to this our world, but all of our futures to so insure!
To learn and to grow, to therein there so . . . but to fine the answerers!
Of The Universe, to so strive for and know! All bathed in exploration's warm glow!
That which lies before us so!
Hail Atlantis!
Hail Atlantis!
Hail Atlantis!
As You Soar! As You Go!

HONORING THE COHOCTON VOLUNTEER FIRE DEPARTMENT

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. REED. Mr. Speaker, I rise today to honor the brave men and women of the Cohocton Volunteer Fire Department who have tirelessly served our local and national community for 125 years. As the Cohocton Volunteer Fire Department celebrates its 125th anniversary, I applaud the many ways they have served our community.

From July 22–24, members of the department will hold several events commemorating the service of their valiant volunteers. Historical displays, parades, competitions and dinners will be held. The department will even be publishing a commemorative book on its history to celebrate this milestone.

For the past 125 years, members have selflessly given their time and energy to serve our community throughout periods of emergency and disaster. While the Cohocton Volunteer Fire Department should be commemorated for all of their service to our community, I want to especially highlight their tireless work during the 1972 Flood, the Ice Storm of 1991 and the Blizzard of 1993—three major storms which devastated the Chemung Valley.

Furthermore, the department also aided the national community during the terrorist attacks of September II, 2001. Under a mutual aid request, the department sent an ambulance and personnel to the Twin Towers Site after the attack. The ambulance was equipped with medical supplies donated by the local community for use by the FDNY.

Members of the Cohocton Volunteer Fire Department have repeatedly risked their lives in order to save our friends and neighbors. I am proud to recognize such a self-sacrificing and courageous organization. I congratulate the Cohocton Volunteer Fire Department and thank them for their 125 years of service.

NLRB KILLING JOBS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. WILSON of South Carolina. Mr. Speaker, on Tuesday, I became an original cosponsor to the Protecting Jobs from Government Interference Act. This Act was introduced by Congressman TIM SCOTT and I am grateful for his efforts to create jobs.

This positive legislation will prohibit the National Labor Relations Board from overreaching its authority by dictating where private businesses can and cannot choose to create jobs in the United States. It is truly a shame that legislation must be created to counter the over-reaching agenda of the job killing NLRB with its bizarre action to stop new jobs at the Boeing facility in South Carolina. I appreciate resistance by South Carolina's Governor Nikki Haley and Attorney General Alan Wilson to stop the bullying of unelected bureaucrats who are killing jobs.

At a time when over 14 million Americans are without work, the government should not be creating policies that interfere with job growth and job creation. The Protecting Jobs from Government Interference Act insures private businesses across the nation will be able to make decisions based on the best interests of their shareholders and workers.

In conclusion, God bless our troops, and we will never forget September 11th in the Global War on Terrorism.

INTRODUCING THE ENTREPRENEURSHIP TAX CUT ACT OF 2011

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. PAUL. Mr. Speaker, I rise to introduce the Entrepreneurship Tax Cut Act of 2011. This bill allows Americans to make penalty-free withdrawals from accounts such as Individual Retirement Accounts (IRAs) or 401(k)s in order to start, or invest in, new businesses. People who make these penalty-free withdrawals will be able to replenish their accounts.

One reason unemployment rates remain so high is that entrepreneurs are unable to obtain the capital they need to create new businesses and new jobs. Clearly, the policy of throwing billions of taxpayer dollars at big banks and allowing the Federal Reserve to shovel billions more into bank coffers has not succeeded. Congress must come up with innovative ways to ensure entrepreneurs and investors can raise the funds to start new businesses and put Americans back to work. Letting Americans use more of their money to start new businesses is a common sense solution to the unemployment problem. Therefore, I urge all my colleagues to help budding entrepreneurs and venture capitalists build new businesses and create the jobs of tomorrow by cosponsoring the Entrepreneurship Tax Cut Act.

TRIBUTE TO MR. JOSEPH B. (JOE) SALTER

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to the memory of a truly wonderful man, Mr. Joseph B. (Joe) Salter, a longtime resident of Albany, Georgia, who passed away this spring after a series of serious health setbacks. Mr. Salter was 82 years old at the time of his passing.

A native of Arlington, Georgia, Joe Salter graduated from Arlington High School in 1945 and served in the United States Air Force during the Korean War. A few years later, in 1952, he graduated from Emory University and went on to spend most of his adult life as a well-respected, successful realtor in the Albany area where he was also an active member of a number of different civic groups such as the Albany Golden K Kiwanis Club, the Albany Jaycees and the Albany Chamber of Commerce.

In work and at home, Joe Salter was first and foremost a man who loved his family, his country and his God and not necessarily in that order. In practically everything he undertook, Mr. Salter sought to expand personal freedom and individual liberties. He was a frequent author of columns and op-ed pieces in the local newspapers of Georgia and through his diverse list of contacts around the country, Mr. Salter soon became known for his heartfelt concerns about the direction of our beloved country. While Joe Salter was the epitome of a southern gentleman, always courteous to one and all, he was also a textbook example of an active and engaged citizen. Many a mayor, congressman, senator and governor knew when Joe Salter was concerned about a matter, especially the role of limited government.

As a husband, father and grandfather, Joe Salter loved his family and worked tirelessly to leave behind a better community, state and country for them to inherit. In addition to being a dedicated family man, Mr. Salter was also a real patriot who loved the men and women of our nation's military as well as our veterans who, like Mr. Salter, had made a lifetime of sacrifices for a better America.

Mr. Speaker, Joe B. Salter was not only a true friend to all who knew him but he was an inspiration to young and old alike and at this time, I would ask the House to join me in extending our deepest sympathies to his widow, Betty Ann, as well as their daughter, Florrie, her husband, Tracy, their son, John, as well as their three grandchildren, Raleigh Elizabeth, Callie Grace and Benjamin Avert.

RECOGNIZING WILLIAM VANDER ARK

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. YODER. Mr. Speaker, I rise today to recognize William Vander Ark of Leawood, Kansas. William was diagnosed with Type 1 diabetes when he was 8 years old. William must act as a mathematician, a physician, a personal trainer and a dietician just to stay alive. His insulin pump functions as his lifeline.

This summer William joined 150 children and teens who participated in the Juvenile Diabetes Research Foundation Children's Congress in Washington, DC. Collectively, they are fighting for a cure and working to help raise research money for this chronic, debilitating disease that affects nearly 26 million Americans nationwide.

William is entering high school in the fall and wants a cure for Type 1 diabetes so the disease doesn't change the course of his future. His dream is to become a commercial pilot, but current rules prevent those who have Type 1 diabetes from getting a license. While the law is in place because of safety concerns, there have been large strides in the development of new, transformational technologies since its passage. Despite adversity, William is committed to his dream and knows that if he keeps his mind to it and works hard, he can someday change the rules.

One of these new technologies is the development of an artificial pancreas that is at a critical point in the regulatory process. I, along with numerous other Members of Congress, have written to the U.S. Food and Drug Administration and expressed a strong interest in

a timely approval of this life-changing advancement. This technology could dramatically improve the health and quality of life for those, like William, who are living with diabetes.

People with diabetes need better tools to manage their disease and prevent its life threatening and costly complications. We need to move forward in the development of this technology by quickly providing clear and reasonable guidance so this can proceed as soon as possible.

William's passion and zeal have inspired not only me, but have left an impression on my entire staff. His parents should be extremely proud of him and his unwillingness to let a his life be dictated by his disease.

THE PASSING OF LILLIAN MOBLEY

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Ms. BASS of California. Mr. Speaker, I rise to honor the memory and legacy of South Los Angeles activist and leader, Lillian Mobley.

Lillian Mobley was the matriarch of the African-American community and a legend in South Los Angeles. She was an inspiration for a generation of leaders that walked in her footsteps but nobody could truly walk in her shoes.

Combined tenderness with tenaciousness, Lillian Mobley spoke softly and smiled gently, but underneath it all, was a fiery passion.

Mr. Speaker, I always enjoyed watching the ritual we all practiced at events attended by Mrs. Mobley. One by one we would walk over to her in an orderly manner and pay our respects, the way one should in the presence of a revered elder.

She has left a legacy of greatness behind and the prominent roles she played in establishing and protecting Martin Luther King Hospital and Charles Drew University Medical School are accomplishments of unbelievable magnitude.

May she rest in peace and may her memory inspire others.

RECOGNIZING THE 37TH ANNIVERSARY OF THE ILLEGAL INVASION OF CYPRUS

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 21, 2011

Mr. GALLEGLY. Mr. Speaker, yesterday marked the 37th anniversary of the illegal invasion and ongoing occupation of Cyprus by Turkish forces. During the war, approximately 5,000 Cypriots were killed and close to 200,000 Greek Cypriots were forcibly removed from their homes. This anniversary also marks another year in which Cyprus is divided between north and south and between the Turkish Cypriot and Greek Cypriot communities.

However, despite 37 years of division in Cyprus, I remain hopeful about reaching a just and lasting settlement. Following his election in February 2008, President Demetris Christofias followed through on his commitment to make the solution of the Cyprus problem his top priority. In September of that year, he embarked on full-fledged negotiations with Mehmet Talat, who was at the time the leader of the Turkish Cypriot community. These negotiations are continuing under the new Turkish Cypriot leader Dervis Eroglu.

The ongoing talks aim at reaching a comprehensive settlement for the Cyprus problem with the goal of achieving the unification of Cyprus based on a bi-zonal, bi-communal federation and political equality, as set out in the relevant United Nations Security Council resolutions. The agreement should also lead to a single sovereignty, single citizenship and single international personality for Cyprus.

There are still many difficult issues that need to be resolved before a comprehensive agreement to the Cyprus problem can be achieved. Turkey, which continues to deploy 43,000 troops in Cyprus, is critical to reaching such an agreement. I urge Turkey to work constructively with the Cypriots in support of a negotiated settlement and the peaceful reunification of the island.

For many years, Cyprus has proven to be a loyal friend and ally of the United States. Throughout the wars in Afghanistan and Iraq, Cyprus has provided overflight and landing rights to U.S. aircraft and port access for our ships. In addition, during the Lebanon crisis of 2006, Cyprus served as the principal transit location for people evacuating Lebanon, including 15,000 U.S. citizens. The U.S. and Cyprus also share a deep commitment to freedom, democracy and human rights. Given the longstanding friendship between the U.S. and Cyprus, I call upon the United States Government to become actively engaged in moving forward the negotiations regarding the future of Cyprus.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4741–S4812

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 1395–1405, and S. Res. 234–236. **Page S4802**

Measures Reported:

S. 1228, to prohibit trafficking in counterfeit military goods or services, with an amendment in the nature of a substitute.

S. 1231, to reauthorize the Second Chance Act of 2007, with an amendment in the nature of a substitute. **Page S4802**

Measures Passed:

Director of the Federal Bureau of Investigation: Senate passed S. 1103, to extend the term of the incumbent Director of the Federal Bureau of Investigation, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S4779–81**

Reid (for Coburn) Amendment No. 579, to create a new 2-year term of service for the Director of the Federal Bureau of Investigation. **Pages S4780–81**

Restoring GI Bill Fairness Act: Committee on Veterans' Affairs was discharged from further consideration of H.R. 1383, to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S4809–10**

Whitehouse (for Murray) Amendment No. 580, to improve the bill. **Page S4810**

International Year of Cooperatives: Committee on the Judiciary was discharged from further consideration of S. Res. 87, designating the year of 2012 as the "International Year of Cooperatives", and the resolution was then agreed to. **Page S4810**

Honoring William F. Hildenbrand: Senate agreed to S. Res. 234, relative to the death of William F. Hildenbrand, former Secretary of the Senate. **Pages S4810–11**

Year of the Family Caregiver: Senate agreed to S. Res. 235, designating 2011 as "The Year of the Family Caregiver". **Page S4811**

National Spinal Cord Injury Awareness Month: Senate agreed to S. Res. 236, designating September 2011 as National Spinal Cord Injury Awareness Month. **Page S4811**

Measures Considered:

Cut, Cap, and Balance Act—Agreement: Senate began consideration of the motion to proceed to consideration of H.R. 2560, to cut, cap, and balance the Federal budget. **Pages S4743–79, S4781–95**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 9 a.m., on Friday, July 22, 2011, with the time until 10 a.m. equally divided and controlled between the two Leaders, or their designees; provided further, that at 10 a.m., the Majority Leader be recognized. **Page S4812**

Mueller Nomination—Agreement: A unanimous-consent-time agreement was reached providing that if Robert S. Mueller III, is nominated to be Director of the Federal Bureau of Investigation; the nomination be placed directly on the Executive Calendar; that at a time to be determined by the Majority Leader, in consultation with the Republican Leader, the Senate proceed to Executive Session to consider the nomination; that there be two hours for debate equally divided in the usual form; that upon the use or yielding back of time, Senate vote without intervening action or debate on confirmation of the nomination; and that no further motions be in order to the nomination. **Pages S4779–80**

Nominations Received: Senate received the following nominations:

Roslyn Ann Mazer, of Maryland, to be Inspector General, Department of Homeland Security.

Maureen K. Ohlhausen, of Virginia, to be a Federal Trade Commissioner for a term of seven years from September 26, 2011. **Page S4812**

Measures Read the First Time: **Pages S4800–01, S4811**

Executive Communications: **Pages S4801–02**

Executive Reports of Committees: **Page S4802**

Additional Cosponsors: **Pages S4802–03**

Statements on Introduced Bills/Resolutions: **Pages S4803–08**

Additional Statements: **Page S4800**

Amendments Submitted: **Page S4808**

Notices of Hearings/Meetings: **Page S4809**

Authorities for Committees to Meet: **Page S4809**

Privileges of the Floor: **Page S4809**

Adjournment: Senate convened at 9:30 a.m. and adjourned, as a further mark of respect to the memory of the late William F. Hildenbrand, Former Secretary of the Senate, in accordance with S. Res. 234, at 8:13 p.m., until 9 a.m. on Friday, July 22, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4812.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nomination of Mark P. Wetjen, of Nevada, to be a Commissioner of the Commodity Futures Trading Commission, after the nominee, who was introduced by Senator Reid, testified and answered questions in his own behalf.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of James A. Winnefeld, Jr., USN for reappointment to the grade of admiral and to be Vice Chairman of the Joint Chiefs of Staff, General Raymond T. Odierno, USA for reappointment to the grade of general and to be Chief of Staff, United States Army, and General William M. Fraser III, USAF for reappointment to the grade of general and to be Commander, United States Transportation Command, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

WALL STREET REFORM ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine enhanced oversight after the financial crisis, focusing on the "Wall Street Reform Act" at one year, after receiving testimony from Representative Frank; Neal S. Wolin, Deputy Secretary, and John Walsh, Acting Comptroller of the Currency, both of the Department of the Treasury; Ben S. Bernanke, Chairman, Board of Governors of the Federal Reserve System; Mary L. Schapiro, Chairman, United States Securities and Exchange Commission; Gary Gensler, Chairman, Commodity Futures Trading Commission; and Martin J. Gruenberg, Acting Chairman, Federal Deposit Insurance Corporation.

MOTOR CARRIER SAFETY PROGRAMS

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security concluded a hearing to examine making our roads safer, focusing on reauthorization of the Motor Carrier Safety Programs, after receiving testimony from Anne S. Ferro, Administrator, Federal Motor Carrier Safety Administration, Department of Transportation; Christopher A. Hart, Vice Chairman, National Transportation Safety Board; Daniel England, C.R. England, Arlington, Virginia, on behalf of American Trucking Associations (ATA); Jacqueline S. Gillan, Advocates for Highway and Auto Safety, Washington, D.C.; and Joe Rajkovacz, Owner-Operator Independent Drivers Association, Grain Valley, Missouri.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 512, to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out programs to develop and demonstrate 2 small modular nuclear reactor designs, with an amendment in the nature of a substitute;

S. 916, to facilitate appropriate oil and gas development on Federal land and waters, to limit dependence of the United States on foreign sources of oil and gas, with amendments;

Also, Committee announced the following subcommittee assignment for the 112th Congress:

Subcommittee on National Parks: Senators Udall (CO) (Chair), Landrieu, Sanders, Stabenow, Franken, Manchin, Coons, Paul, Barrasso, Coats, Portman, Heller, and Corker.

Senators Bingaman and Murkowski are ex officio members of the subcommittee.

LEGISLATIVE ISSUES FOR TRANSPORTATION REAUTHORIZATION

Committee on Environment and Public Works: Committee concluded a hearing to examine legislative

issues for transportation reauthorization, after receiving testimony from Susan Martinovich, Nevada Department of Transportation Director, Carson City, on behalf of the American Association of State Highway and Transportation Officials (AASHTO); Gary Ridley, Oklahoma Secretary of Transportation, Oklahoma City; Mayor Antonio R. Villaraigosa, Los Angeles, California; Terry O'Sullivan, Laborers' International Union of North America (LIUNA), Deron Lovaas, Natural Resources Defense Council (NRDC), and Gregory M. Cohen, American Highway Users Alliance, all of Washington, D.C.; and Donald M. James, Vulcan Materials Company, Birmingham, Alabama.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Sung Y. Kim, of California, to be Ambassador to the Republic of Korea, Department of State, after the nominee testified and answered questions in his own behalf.

FOR-PROFIT HIGHER EDUCATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine improving for-profit higher education, focusing on a roundtable discussion of policy solutions, after receiving testimony from Holly Petraeus, Team Lead, Office of Service Member Affairs, Consumer Financial Protection Bureau Implementation Team, Department of the Treasury; Michael Barr, University of Michigan Law School, Ann Arbor; Hayes Batson, Regency Beauty Institute, Brooklyn Park, Minnesota; Jose Cruz, Education Trust, and Barmak Nassirian, American Association of Collegiate Registrars and Admissions Officers, both of Washington, D.C.; Daniel Hamburger, DeVry Inc., Downers Grove, Illinois; and Robert Shireman, California Competes, San Francisco.

EMERGENCY PREPAREDNESS IN NATIVE COMMUNITIES

Committee on Indian Affairs: Committee concluded an oversight hearing to examine floods and fires, focusing on emergency preparedness for natural disasters in the native communities, after receiving testimony from Michael S. Black, Director, Bureau of Indian Affairs, Department of the Interior; Craig Fugate, Federal Emergency Management Agency, Department of Homeland Security; Mary Wagner, Associate Chief, Forest Service, Department of Agriculture; Brigadier General John R. McMahon, Commander, Northwestern Division, Army Corps of Engineers, Department of Defense; Randy Grinnell, Deputy Director, Indian Health Service, Department of Health and Human Services; Fred Tombar, Senior Advisor for Disaster Recovery, Office of the Secretary, Department of Housing and Urban Development; and Walter Dasheno, Santa Clara Pueblo, Espanola, New Mexico.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1231, to reauthorize the Second Chance Act of 2007, with amendments;

S. 27, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market;

S. 1228, to prohibit trafficking in counterfeit military goods or services, with an amendment in the nature of a substitute; and

The nominations of Christopher Droney, of Connecticut, to be United States Circuit Judge for the Second Circuit, Robert David Mariani, to be United States District Judge for the Middle District of Pennsylvania, Cathy Bissoon, and Mark Raymond Hornak, both to be a United States District Judge for the Western District of Pennsylvania, Robert N. Scola, Jr., to be United States District Judge for the Southern District of Florida, and Clayton D. Johnson, to be United States Marshal for the Northern District of Oklahoma, Department of Justice.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

REDUCING DRUG COSTS TO MEDICARE

Special Committee on Aging: Committee concluded a hearing to examine reducing drug costs to Medicare, after receiving testimony from Jonathan Blum, Deputy Administrator and Director, Center for Medicare, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Philip J. Rosenfeld, University of Miami Miller School of Medicine Bascom Palmer Eye Institute, Miami, Florida; Anthony P. Adamis, Genentech, Inc., San Francisco, California; Sean Tunis, Center for Medical Technology Policy (CMTP), Baltimore, Maryland; and Lisa Swirsky, Consumers Union, and Scott Gottlieb, American Enterprise Institute, both of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 18 public bills, H.R. 2605–2622; and 4 resolutions, H.J. Res. 73; H. Con. Res. 66; and H. Res. 362, 364 were introduced. **Pages H5373–74**

Additional Cosponsors: **Pages H5374–75**

Reports Filed: Reports were filed today as follows:

H.R. 966, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes, with an amendment (H. Rept. 112–174);

H.R. 1670, to amend the Sikes Act to improve the application of that Act to State-owned facilities used for the national defense, with an amendment (H. Rept. 112–175, Pt. 1); and

H. Res. 363, providing for consideration of the bill (H.R. 2584) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2012, and for other purposes (H. Rept. 112–176). **Pages H5372–73**

Speaker: Read a letter from the Speaker wherein he appointed Representative Crawford to act as Speaker pro tempore for today. **Page H5287**

Recess: The House recessed at 11:40 a.m. and reconvened at 12 noon. **Page H5299**

Consumer Financial Protection Safety and Soundness Improvement Act of 2011: The House passed H.R. 1315, to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, by a recorded vote of 241 ayes to 173 noes, Roll No. 621. **Pages H5302–12, H5316–48**

Rejected the Michaud motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 183 ayes to 232 noes, Roll No. 620. **Pages H5345–47**

Pursuant to the rule, the amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated July 14, 2011 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill. **Page H5328**

Agreed to:

Paulsen amendment (No. 4 printed in H. Rept. 112–172) that clarifies that the nonvoting members of the council are allowed to petition against any rule made by the Consumer Financial Protection Bureau (CFPB), even if they represent an industry the CFPB is not permitted to regulate; **Pages H5334–35**

Quigley amendment (No. 7 printed in H. Rept. 112–172) that requires the Financial Stability Oversight Council to provide live online streaming or broadcasting of Council meetings pertaining to review of Consumer Financial Protection Bureau regulations; **Pages H5337–38**

Chu amendment (No. 8 printed in H. Rept. 112–172) that gives additional responsibility to the Commissioner responsible for oversight of the Bureau's activities pertaining to the protection of older consumers, minorities, youth, and veterans. The Commissioner is required to research how language barriers can lead to unfair and abusive lending practices, and report to the full Commission ways to protect consumers from these unfair and deceptive practices; **Page H5338**

DeFazio amendment (No. 3 printed in H. Rept. 112–172) that eliminates potential conflicts of interest by providing that no Member of the Financial Stability Oversight Council may participate in a vote to issue a stay of, or set aside, a regulation issued by the Bureau of Consumer Financial Protection if said regulation would affect an institution for which that individual was employed in the preceding 2 years (an earlier request for a recorded vote was withdrawn and the amendment stood adopted by the voice vote thereon); **Pages H5333–34, H5340**

Lankford amendment (No. 10 printed in H. Rept. 112–172) that requires the Inspector General of the Board of Governors of the Federal Reserve System/CFPB to submit an annual report to Congress no later than February 1, 2012, and every year thereafter, which identifies (1) all new guidance/regulation/rules prescribed by the Bureau, (2) any Bureau authority which overlaps with other Federal agencies/departments, (3) Bureau administrative expenses, and (4) Bureau unobligated balances. Requires that the report be posted online and published using existing funds; and **Pages H5340–41**

Rigell amendment (No. 11 printed in H. Rept. 112–172) that requires the Consumer Financial Protection Bureau to (1) submit an analysis on the impact of its proposed rule or regulation on the financial industry and (2) an analysis of consumers' and small businesses' access to credit as a result of the regulation, to the Financial Stability Oversight

Council for the purposes of public review (by a recorded vote of 246 ayes to 167 noes, Roll No. 619). **Pages H5341–42, H5345**

Rejected:

Maloney amendment (No. 1 printed in H. Rept. 112–172) that sought to strike Section 1023 of the Dodd-Frank Act giving the Financial Stability Oversight Council the ability to override Consumer Financial Protection Bureau rules; **Pages H5329–30**

Jackson Lee (TX) amendment (No. 2 printed in H. Rept. 112–172) that sought to restore a ⅔ majority vote in order for the Financial Stability Oversight Council to overrule Consumer Financial Protection Bureau regulation (by a recorded vote of 170 ayes to 239 noes, Roll No. 615); **Pages H5330–33, H5342–43**

Miller (NC) amendment (No. 5 printed in H. Rept. 112–172) that sought to require specific disclosure of information related to filing agency petitions to the Financial Stability Oversight Council to overturn Consumer Financial Protection Bureau rulemaking (by a recorded vote of 175 ayes to 238 noes, Roll No. 616); **Pages H5335–36, H5343**

Jackson Lee (TX) amendment (No. 6 printed in H. Rept. 112–172) that sought to restore time limits in which the Financial Stability Oversight Council must review and make a determination on regulations issued by the Consumer Financial Protection Bureau (by a recorded vote of 175 ayes to 240 noes, Roll No. 617); and **Pages H5336–37, H5343–44**

Maloney amendment (No. 9 printed in H. Rept. 112–172) that sought to transfer all authority that the Consumer Financial Protection Bureau would receive to the Secretary of the Treasury if no Commission Chair is in place by July 21st until such time as a Chair has been confirmed by the Senate (by a recorded vote of 168 ayes to 244 noes, Roll No. 618). **Pages H5338–40, H5344–45**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H5348**

H. Res. 358, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 238 yeas to 177 nays, Roll No. 614, after the previous question was ordered without objection. **Page H5317**

A point of order was raised against the consideration of H. Res. 358 and it was agreed to proceed with consideration of the resolution by a yea-and-nay vote of 227 yeas to 173 nays, Roll No. 612. **Pages H5302–05**

Pursuant to section 2 of the rule, in the engrossment of H.R. 1315, the Clerk shall (a) add the text of H.R. 830, as passed by the House, as new matter at the end of H.R. 1315; (b) conform the title of H.R. 1315 to reflect the addition of H.R. 830, as passed by the House, to the engrossment; (c) assign appropriate designations to provisions within the engrossment; and (d) conform provisions for short titles within the engrossment. **Page H5302**

Order of Business: Agreed by unanimous consent that during consideration of H.R. 2551, pursuant to H. Res. 359, amendments No. 9 and No. 12 are permitted to be offered out of the specified order. **Page H5348**

Order of Business: Agreed by unanimous consent that during consideration of H.R. 2551, pursuant to H. Res. 359, amendments No. 10 and No. 11 are permitted to be offered out of the specified order. **Page H5369**

Legislative Branch Appropriations Act, 2012: The House began consideration of H.R. 2551, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2012. Consideration is expected to resume tomorrow, July 22nd. **Pages H5312–16, H5348–72**

Agreed to:

Honda amendment (No. 1 printed in H. Rept. 112–173) that transfers Member Transition Activities funds to increase the Capitol Police fund by $1,000,000 in order to establish a Security Fund for Member's District Office Security Upgrades; **Page H5360**

Altmire amendment (No. 7 printed in H. Rept. 112–173), as modified, that restores $1 million in funding to the Thirty-Year Mass Deacidification Program with the Library of Congress' Salaries and Expenses Account; **Page H5365**

Paulsen amendment (No. 13 printed in H. Rept. 112–173) that prevents the distribution of printed legislation to member offices unless a member requests the legislation; **Page H5367**

Paulsen amendment (No. 14 printed in H. Rept. 112–173) that prevents funds from being used to distribute printed copies of the Congressional Record to Member offices. Members are still able to receive copies online and from the Legislative Resource Center; and **Page H5367**

Hanna amendment (No. 16 printed in H. Rept. 112–173) that states that none of the funds may be used by the Chief Administrative Officer to make any payments from any MRA for the leasing of a vehicle in an amount that exceeds $1,000 in any month. **Page H5369**

Rejected:

Broun (GA) amendment (No. 3 printed in H. Rept. 112–173) that sought to reduce funding for the Joint Economic Committee by $1,050,750 (25%) and transfer those dollars to the spending reduction account; **Page H5362**

Broun (GA) amendment (No. 4 printed in H. Rept. 112–173) that sought to reduce funding for the Office of Compliance to the FY 2008 Level ($467,000 reduction) and transfer those dollars to the spending reduction account; **Pages H5362–63**

Flake amendment (No. 10 printed in H. Rept. 112–173) that sought to require all mail funded by the Members' representational allowance and from funds for official mail for committees and leadership offices of the House bear the official letterhead of the Member, committee, or office involved; and **Pages H5370–71**

Flake amendment (No. 11 printed in H. Rept. 112–173) that sought to prohibit Members, committees, and leadership from using funds from this Act to purchase online ads that link to a website maintained by Members, committees, and leadership offices. **Pages H5371–72**

Proceedings Postponed:

Watt amendment (No. 2 printed in H. Rept. 112–173) that seeks to reduce funding for the Office of Congressional Ethics (OCE) by 40% ($619,200) and transfer the funds to the spending reduction account; **Pages H5360–62**

Hayworth amendment (No. 5 printed in H. Rept. 112–173) that seeks to cut the $632,780 increase in funding for the Botanic Garden and transfer it to the spending reduction account; **Pages H5363–64**

Broun (GA) amendment (No. 6 printed in H. Rept. 112–173) that seeks to reduce funding for the Botanic Garden to the FY 2008 Level ($3,192,000 reduction) and transfer the funds to the spending reduction account; **Pages H5364–65**

Stutzman amendment (No. 8 printed in H. Rept. 112–173) that seeks to reduce the Government Printing Office by $4,946,140.80 by transferring $3,414,150.29 from Government Printing Office, Congressional Printing and Binding, and $1,531,990.51 from Government Printing Office, Office of Superintendent of Documents and transfer the funds to the spending reduction account; and **Pages H5365–67**

Thompson (PA) amendment (No. 15 printed in H. Rept. 112–173) that seeks to prohibit any funds in the bill from being available to purchase, acquire, install, or use any medium screw base compact fluorescent lamp or light bulb (CFL). **Pages H5367–69**

H. Res. 359, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 239 yeas to 172 nays, Roll No. 613, after the previous question was ordered without objection. **Page H5316**

Senate Messages: Messages received from the Senate today appear on pages H5297 and H5248.

Senate Referral: S. 1103 was referred to the Committee on the Judiciary. **Page H5348**

Quorum Calls—Votes: Three yea-and-nay votes and seven recorded votes developed during the proceedings of today and appear on pages H5304–05, H5316, H5317, H5342–43, H5343, H5343–44, H5344–45, H5345, H5347 and H5347–48. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:41 p.m.

Committee Meetings

TITLE IV NUTRITION PROGRAMS

Committee on Agriculture: Subcommittee on Nutrition and Horticulture held a hearing entitled "Agricultural Program Audit: Examination of Title IV Nutrition Programs". Testimony was heard from Audrey Rowe, Administrator, Food and Nutrition Service, Department of Agriculture.

DERIVATIVES REFORM

Committee on Agriculture: Full Committee held a hearing on Derivatives Reform: The View from Main Street. Testimony was heard from Gary Gensler, Chairman, Commodity Futures Trading Commission; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Education and the Workforce: Full Committee held a markup of legislation regarding the "Protecting Jobs from Government Interference Act." The bill was ordered reported, as amended.

BIOTERRORISM, CONTROLLED SUBSTANCES AND PUBLIC HEALTH ISSUES

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Legislative Hearing to Address Bioterrorism, Controlled Substances and Public Health Issues." The following legislation was considered: H.R. 1254, the "Synthetic Drug Control Act of 2011"; H.R. 2405, to reauthorize certain provisions of the Public Health Services Act and the Federal Food, Drug, and Cosmetic Act relating to public health preparedness and countermeasure development, and for other purposes; and legislation regarding the "Enhancing Disease Coordination Activities Act." Testimony was heard from Rep. Dent; Nicole Lurie, M.D., Assistant Secretary for Preparedness and Response, Department of Health and Human Services; and Howard K. Koh, M.D., Assistant Secretary for Health, Department of Health and Human Services.

LEGISLATIVE MEASURES

Committee on Energy and Commerce: Subcommittee on Energy and Power continued a hearing entitled "The

American Energy Initiative.'' The hearing continued to focus on legislation regarding the ''Pipeline Infrastructure and Community Protection Act of 2011.'' Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Foreign Affairs: Full Committee continued markup of H.R. 2583, the Foreign Relations Authorization Act, Fiscal Year 2012. This markup is scheduled to run late. The results of the markup will be reported in the July 22, 2011 Congressional Record.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, FY 2012

Committee on Rules: Full Committee held a hearing on legislation regarding the Interior, Environment, and Related Agencies Appropriations Act, FY 2012. The Committee granted, by record vote of 7 to 4, an open rule providing one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in Section 2 of the resolution, striking section 427 of the bill, shall be considered as adopted. The rule waives points of order against provision in the bill for failure to comply with clause 2 of rule XXI. Under the Rules of the House the bill shall be read for amendment by paragraph and that the bill shall be considered for amendment under the five-minute rule. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Rep. Simpson, Rep. Moran, and Rep. Bishop of New York.

MISCELLANEOUS MEASURES

Committee on Science, Space, and Technology: Full Committee held a markup of H.R. 2096, the Cybersecurity Enhancement Act of 2011.'' The bill was ordered reported, as amended.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a markup of H.R. 2274, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs and the Secretary of Defense to submit to Congress annual reports on the Post-9/11 Educational Assistance Program, and for other purposes; H.R. 2301, the ''Streamlining Education Claims Processing Act of 2011''; H.R. 1911, the ''Protecting Veterans' Homes Act''; H.R. 2329, the ''Ensuring a Response for Servicemembers Act''; H.R. 1263, to amend the Servicemembers Civil Relief Act to provide surviving spouses with certain protections relating to mortgages and mortgage foreclosures; H.R. 2302 to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to notify Congress of conferences sponsored by the Department of Veterans Affairs; and H.R. 2345, to amend title 38, United States Code, to extend the authorization of appropriations for the Secretary of Veterans Affairs to pay a monthly assistance allowance to disabled veterans training or competing for the Paralympic Team and the authorization of appropriations for the Secretary of Veterans Affairs to provide assistance to United States Paralympics, Inc. The following were forwarded, as amended: H.R. 2274, and H.R. 2301. The following were forwarded without amendment: H.R. 1263, H.R. 1911, H.R. 2302, H.R. 2329, and H.R. 2345.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JULY 22, 2011

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, markup of the following: H.R. 923, the ''Veterans Pensions Protection Act of 2011''; H.R. 1025, to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; H.R. 1826, to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees; H.R. 1898, the ''Veterans 2nd Amendment Protection Act''; and H.R. 2349, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to annually assess the skills of certain employees and managers of the Veterans Benefits Administration, and for other purposes. 11 a.m., 334 Cannon.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine minority at risk, focusing on Coptic Christian in Egypt and renewed concerns over reports of disappearance, forced conversions and forced marriages of Coptic Christian women and girls, 9:30 a.m., 210, Cannon Building.

Next Meeting of the SENATE

9 a.m., Friday, July 22

Senate Chamber

Program for Friday: Senate will continue consideration of the motion to proceed to consideration of H.R. 2560, Cut, Cap, and Balance Act. At 10 a.m., the Majority Leader will be recognized to make a motion to table the motion to proceed to consideration of the bill, with a roll call vote expected at approximately 10 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

9:00 a.m., Friday, July 22

House Chamber

Program for Friday: Resume consideration of H.R. 2551—Legislative Branch Appropriations Act, 2012.

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