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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. PAULSEN).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC.
November 2, 2011.

I hereby appoint the Honorable ERIK PAULSEN to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

UMWA UPPER BIG BRANCH REPORT

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

Mr. GEORGE MILLER of California. Mr. Speaker, Members of the House, last week the United Mine Workers of America released the results of their investigation into the deadliest coal mine tragedy in four decades. The report describes the conditions on April 5, 2010 in Massey Energy's Upper Big Branch mine that led to a colossal explosion killing 29 miners. It confirms the findings of two other independent investigations.

In short, Massey's failure to eliminate explosive coal dust throughout the mine converted an otherwise manageable methane fire into a catastrophic explosion. The force of this explosion traveled more than 7 miles underground, destroying everything in its path. Miles of coal belts were decimated, railroad tracks were twisted like pretzels, and massive mining equipment was tossed underground like lawn furniture during a hurricane.

The report noted that in the 15 months before the explosion, the mine was cited 645 times for violations of mine safety laws. They faced $1.2 million in potential fines. However, rather than improving safety, Massey challenged three-quarters of the fines. And in the month before the explosion, miners had asked that the accumulation of explosive coal dust be addressed 560 times. However, management only responded 65 times.

The Upper Big Branch mine was literally a powder keg. The mine workers' investigation concluded that 29 miners died because of a corrupt corporate culture that put production ahead of human life. Massey Energy's top management was well aware of the conditions at Upper Big Branch mine. They knew of the mountains of citations for dangerous conditions, but all they had to do was file an appeal to get Federal safety officials to back off.

Massey also obstructed mine safety inspections by illegally alerting operations of an inspector on the property so they could cover up any noticeable problems. And management knew that workers were complaining about the conditions below ground. But all Massey had to do was remind these miners that they were free to find other employment if they continued to speak up.

Corporate officers didn't mince words when it came to production over safety. In a ''RUN COAL'' memo from CEO Don Blankenship in 2005, he told his workers their only concern was to produce coal. The message was clear from the very top: produce coal, disregard safety problems or find another job. Miners of Upper Big Branch and other Massey mines have told Congress and investigators similar stories. To enforce their perverse philosophy, top management demanded reports every 30 minutes on how much their mines were producing.

It is clear that Massey Energy management actively disregarded their workers' health and safety. Unfortunately, the knowing violation of a mandatory health and safety standard is only a misdemeanor, no matter how many miners are killed. This kind of conduct needs to be made a felony, but efforts to increase sanctions have been stifled by the mining industry's lobby. Instead of being held accountable for the decisions that caused 29 deaths, Massey Energy executives got a massive $195 million payout when they sold off their company, according to the United Mine Workers report.

Even though Don Blankenship was forced to resign following the Upper Big Branch tragedy, he pocketed $86 million in the golden parachute when 29 of the miners under his jurisdiction and responsibility were killed. If you wonder why people are talking about the 1 percent and the 99 percent, the 99 percent in the mine had their lives put in danger every day they went to work for Massey. And every day they questioned it, they were threatened with job loss. But the 1 percent—the 1 percent—walked away with $195 million for overseeing one of the most dangerous mining operations in the history of this country.

What about the families of the breadwinners of the 99 percent? They lost their breadwinner, they lost their husband, they lost their father, and they lost their brother. Now we understand

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the disparity that motivates people to occupy Wall Street. We know why people are occupying hometowns all over the country. We understand this. But we also know that these miners had to simply go to work. This was the job that was available to them, but they were ridden roughshod over by Massey.

These families are now simply left to pick up the pieces of their shattered lives and may receive some scraps later on in some final determination. It's a familiar story in an era where Wall Street companies and their executives took big payouts after wrecking our economy. But Massey Energy executives' decisions resulted in the destruction of 29 lives and 29 families. This makes Massey's payout even more disgusting.

Massey Energy was recently sold to Alpha Natural Resources. I have been personally assured that these corrupt practices won't reappear with the new owner. However, there are some troubling contradictions that merit a careful watch. Despite stating their intention to fully cooperate with the government investigations, Alpha has been keeping some senior Massey managers who have invoked their Fifth Amendment rights. And Alpha's recent actions to fight potential pattern of violation sanctions at former Massey mines don't set well either.

Yes, mining is a dangerous job; but not every mining company operates like Massey, nor should they, nor should we tolerate the Masseys of the coal industry.

BRING OUR TROOPS HOME

Mr. JONES. Mr. Speaker, a couple weeks ago, I had the privilege and the honor to visit our wounded at Walter Reed-Bethesda. It so happened that five marines from Camp Lejeune Marine Corps Base in my district were there. Four of the five had lost both legs—double amputees. And the one kid that had his leg blown off by an IED, I went into his room, as I did the other four, but this one had a question for me. His mom was sitting in the room. And he said, Congressman, why are we still in Afghanistan? And I told the young lance corporal, I don't know, I cannot answer it. I don't understand why we are not pushing the President to bring our troops home before 2014.

And that leads me to a quote by Ronald Reagan from his book entitled, ''An American Life: The Autobiography,'' based on Reagan's life. And it dealt with Lebanon, and he was the President at the time. ''Perhaps we didn't appreciate fully enough the depth of the hatred and the complexity of the problems that made the Middle East such a jungle. Perhaps the idea of a suicide car bomber committing mass murder to gain instant entry to paradise was so foreign to our values and consciousness that it did not create in us the concern for the marines' safety that it should have.

''In the weeks immediately after the bombing, I believed the last thing that we should do was turn tail and leave. Yet the irrationality of Middle East politics forced us to rethink our policy there. If there would be some rethinking of policy before our men die, we would be a lot better off. If that policy had changed towards more of a neutral position and neutrality, those 241 marines would be alive today.''

I thank Mr. Reagan for his service to our Nation, and I thank him for those words. I wish both parties would listen to leaders like Ronald Reagan who understood that you're not going to change the Middle East no matter what you want to do or hope to do or pray to do. You can't do it, and you won't do it.

Mr. Speaker, beside me are two little girls, one named Eden and one named Stephanie. They are at the graveside of their father, Sergeant Kenneth Bladuf, sergeant in the United States Marine Corps.

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About 2 months ago, he was sent to Afghanistan, along with a Colonel Benjamin Palmer from Cherry Point Marine Corps Air Station, which is in my district also.

One night, when they were having dinner with the Afghan trainees, one of the trainees pulled out a pistol and killed both of them. It is so ironic that the day before Sergeant Bladuf was killed, he had emailed his wife and he said, ''I don't trust them, I don't trust them, I don't trust any of them,'' and yet we keep spending $10 billion a month. We're going to cut programs from senior citizens and children in America. We can't balance the budget. But old Mr. Karzai, he'll get his $10 billion a month. The Congress needs to look at this and start bringing our troops home before 2014.

Mr. Speaker, also in Sunday's paper, it says: ''Suicide bomber hits NATO bus; 17 people, including 12 Americans, are killed in the deadliest attack since the war began.''

Mr. Speaker, I hope that we don't have to continue to go to Walter Reed-Bethesda and see all of these broken bodies. If we're going to be there until 2014, there are going to be a lot more broken bodies and dead young men and women. I hope the leadership of both parties will start joining those of us in both parties and bring our troops home before 2014.

Mr. Speaker, again I state to all the children like Eden and Stephanie, be proud of your moms and your dads. But for those of us who are policymakers, we have the responsibility—not the generals, but we the policymakers—of sending our young men and women to die and lose their limbs for absolutely nothing but a corrupt leader.

Mr. Speaker, I will close right now with the same closing I do all the time: God, please bless our men and women in uniform. Please bless the families of our men and women in uniform. God, in Your loving arms, hold the families who have given a child dying for freedom in Afghanistan and Iraq. God, please bless the House and Senate, that we will do what is right in Your eyes. Please bless President Obama, that he will do what is right in Your eyes for his people. And three times I will say, God please, God please, God please continue to bless America.

COMMENDING AMERICA'S VETERANS

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

Mr. DONNELLY of Indiana. Mr. Speaker, I rise today to commend the veterans from my State of Indiana and across the United States for Veterans Day. We owe them a debt of gratitude for their service to our country and for their selfless devotion. They put their lives on the line to defend our freedom, and there is no way that we can ever thank them enough.

Over 52,000 veterans live in the congressional district that I am honored to represent, Indiana's Second District. Meeting them is an inspiration because of their humility and professionalism. When you thank them for their service, they usually modestly say, Sir, I was just doing my job.

Veterans embody the definition of patriot—selfless sacrifice in order to defend the freedoms that we enjoy in the United States. Veterans such as Mr. Marion Minks from Logansport, Indiana, who served as a PFC with the U.S. Army during World War II. My office was honored to represent Mr. Minks and also to present him with the Bronze Star, the Purple Heart, and other military service medals that he earned.

Veterans such as Mr. Gary Whitehead from Elkhart, Indiana, who served in the Navy for more than 20 years and then served his fellow veterans as the Elkhart County Veterans Service Officer. For over two decades, my office was honored to work with Gary to open a VA clinic to serve veterans in north central Indiana in his own county, something he had fought for for years and years.

Veterans such as Rich Mrozinski from La Porte, Indiana, who served in the Air Force during the Vietnam War and later became commander of his local VFW post. I had the honor to interview Rich for the Library of Congress' Veterans History Project.

It is an honor and a privilege to serve the veterans of Indiana's Second Congressional District. It is incumbent upon us to see that our veterans receive the best quality care and the benefits that they have earned through their sacrifice to our country. We must see that those services are provided to our veterans with the promptness and the respect that they deserve. That's why, while in Congress, I've worked on legislation relating to veterans health care, educational benefits, life insurance, and the disability claims process.

We still have much more work to do on behalf of our veterans. I urge my

colleagues in the House to pass the RAPID Claims Act, H.R. 2377, which I introduced to take commonsense steps to improve the benefits system and to provide our wounded warriors with a faster response on their disability claims. It's the least we can do.

I also urge the House to pass the E-SERV Act, H.R. 2470, which I introduced to improve the efficiency of the current electronic health record system for military personnel and veterans. We must seek to make the VA system work better for our military personnel, for our veterans, and for their families.

This Veterans Day, I want to say thank you again to all of our vets and to all of our servicemembers for their sacrifices for our freedom and our security. They always deserve the very best.

God bless our veterans. God bless our servicemembers. God bless Indiana. And God bless the United States of America.

REPUBLICAN JOBS AGENDA

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

Mr. LONG. Mr. Speaker, I came to Congress as a small business owner. And as any small business owner will tell you, the government can't create jobs, only the private sector can.

I think it's easy to forget, but the United States Government does not have any money that it does not first take from productive citizens and businesses. When the government spends to create jobs, it has to take money from people who earned it and who would have spent it or invested it otherwise—the broken window effect, if you will. So the reality is that government spending trades productive private sector jobs for usually wasteful public sector jobs.

With record unemployment affecting families across the Nation, now is not the time to increase the public sector on the backs of the private sector and increase the burdens on our small businesses. Small businesses are the engine that drives this economy, and it's time for the government to get out of their way.

As part of the House GOP Plan for America's Job Creators, we've opposed the President whenever he wants to create new taxes or more regulations. So far this year, the House of Representatives has passed many bills that focus on job creation. These are real jobs bills that create real wealth-producing private sector jobs—not fake bills like the stimulus that didn't do anything but stimulate the national debt—bills that empower small business owners, fix the Tax Code to help job creators, increase competitiveness for U.S. manufacturers, encourage entrepreneurship and growth, maximize domestic energy production, and pay down America's unsustainable debt burden. Some of these have passed the Senate and gone on to become law, believe it or not. The free trade agreements, for instance—for which I am especially proud.

When 95 percent of the world's customers are outside of America, it's no surprise that jobs would be created as our companies are allowed to compete and expand on the world stage. In fact, it's estimated that by pursuing those agreements, we're creating up to a quarter of a million new jobs. Good jobs will be created right here in America at a time when jobs are badly needed.

House Republicans have also tried to fix our Tax Code. Complying with our confusing Tax Code costs Americans billions every year—over $160 billion in 2009 alone.

We need to get Washington out of the way by simplifying the Tax Code and lowering tax rates. We need a Tax Code that is flatter, fairer, and simpler, a Tax Code that creates jobs by making America more competitive. That's why I'm proud Congress passed the Small Business Paperwork Mandate Elimination Act, which eliminated the 1099 form mess. The 1099 form created an unprecedented accounting and paperwork burden on small businesses across this country. A National Federation of Independent Business small business survey determined the form is the most expensive burden placed on small businesses by the Federal Government.

Another House jobs bill that has now become law is the America Invents Act, a bill that brings long-overdue patent reform. So three free trade agreements, a tax reform bill, and a patent reform bill—if you're counting. Out of the many jobs bills, only those have escaped the graveyard of the United States Senate. It seems that some would rather campaign and complain instead of doing what we know will create jobs. We know that throwing money at problems doesn't solve a thing. If it did, then all of our problems would have been solved with the stimulus. We know that eliminating burdensome overregulation and restrictions on job creators is a sure fire way to create jobs.

We need legislation that encourages entrepreneurship and growth. America has historically been on the cutting edge of innovation and technological development, but we are increasingly falling behind our global competitors. We must make it easier for existing businesses to grow and allow more start-up companies to flourish. That's why the Senate needs to pass the Reducing Regulatory Burdens Act, the Energy Tax Prevention Act, the Clean Water Cooperative Federalism Act, the Consumer Financial Protection and Soundness Improvement Act, the Protecting Jobs from Government Interference Act, Transparency in Regulatory Analysis of Impacts on the Nation, the Cement Sector Regulatory Relief Act, the EPA Regulatory Relief Act, the Coal Residuals Reuse and Management Act, and we need to fix the Tax Code.

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The Gettysburg Address is 272 words; the Declaration of Independence, 1,500 words; the Constitution, 7,200 words; the Federal Tax Code, 10 million words.

Our Tax Code needs to be fixed, and that's why the Senate needs to pass the 3 percent withholding rule repeal, which would repeal the 3 percent withholding on our contractors' payments with Federal, State, and local governments.

This job-killing requirement would create costly new work for Federal, State, and local governments and hold the money hostage from government contractors. The IRS needs to learn that hurting businesses, cities, towns, and consumers during a recession is not going to get our economy back on track.

Much like the costly Form 1099 requirements that Congress repealed earlier this year, the 3 percent withholding rule would impose more burdens on cash-strapped employers and hurt job creation. Instead of focusing on job creation and economic growth, business and local governments will have to focus on enormous administrative and financial challenges.

Just today, we learned the leadership in the Senate has been burning the midnight oil figuring out a way to even gum up this 3 percent repeal.

CHINESE CURRENCY MANIPULATION

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

Mr. VISCLOSKY. Mr. Speaker, I rise today to address the issue of Chinese currency manipulation.

In northwest Indiana, the steel industry provides middle class jobs and economic security. It supplies the products with which a strong economy can be built and a powerful national defense maintained.

China understands the value of steel and a strong manufacturing base and has aggressively acted to support and subsidize its domestic industries. For example, China has acted contrary to international trading standards in order to help their domestic manufacturers by routinely manipulating its currency in order to keep prices low on its finished products.

As an effect, China's steel production has more than doubled since 2003, while U.S. production has dropped by nearly 40 percent. We have also lost a third of our manufacturing jobs as China's manufacturing sector continues to grow, nourished by that country's blatant disregard of international law and the abusive consequences visited on other nations and people, most importantly, those who live and want to work in the United States of America.

For example, it is estimated that China has devalued its currency anywhere between 12 and 50 percent, giving its own exports a government subsidy

and, in effect, taxing American-made imports. This policy has cost the U.S. upwards of 2.5 million manufacturing jobs over the last decade and a staggering annual trade deficit of as much as $273 billion.

The Chinese have dialogued and dialogued and dialogued for years about allowing their currency to appreciate but have continued the practice of devaluing it. Our Nation is facing a jobs crisis, and we can no longer afford to stand for this destructive policy.

H.R. 639, the Currency Reform for Fair Trade Act, would address the issue of this manipulation by recognizing in law what we already know, that currency misalignment is an export subsidy. The measure would take commonsense steps to ensure our Treasury Department appropriately identifies countries that engage in this unfair policy and allow the United States to place countervailing duties on imports from offending nations.

This act has 230 cosponsors, more than enough to pass the House. In fact, just over a year ago, drawing on support from American labor and manufacturing, the House supported a similar bill. On September 23, 2010, the House approved the Currency Reform for Fair Trade Act by an overwhelming bipartisan vote of 348–79. Unfortunately, the Senate failed to act. More than 260 of the Members who voted in favor of that measure remain in the House. In this Congress, in October, the other body did pass a similar measure by a bipartisan vote of 63–35. It is time for the House to pass this bill.

Those who oppose efforts to punish China for its unfair trade policies insist this measure would start a so-called trade war. We are in a war, a war for jobs, and we are losing. China continues to fight to win jobs while America's Government dawdles. This cannot continue.

According to a report by the Economic Policy Institute, titled, ''Unfair China Trade Costs Local Jobs,'' thanks to our trade imbalance with China, 2.4 million jobs were lost in the United States between 2001 and 2008.

Unfortunately, currency manipulation is far from the only trade-disrupting policy practiced by China. This summer, the New American Foundation convened a task force led by Leo Gerard of the United Steelworkers and Leo Hindrey of New America, and published a report. The report they released further confirms the myriad of activities that China engaged in that undermine our jobs.

China employs a complex and far-reaching set of industrial and mercantile policies. Environmental and labor rules that we take for granted are rare to nonexistent in China. China disregards intellectual property protections such as trademarks, copyrights, and patents and then steals technology from us and other countries around the world at an annual cost of hundreds of billions of dollars. It does this, in part, by shamelessly forcing foreign companies to divulge intellectual property as a price for market access.

Further, China uses state secret laws to protect commercial interests and is pursuing a policy of indigenous innovation whereby it manufactures and maneuvers to increase the domestic production of high value-added goods.

The House must pass and act on the Chinese currency manipulation bill.

BORDER PATROL AGENT JESUS DIAZ

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

Mr. POE of Texas. Mr. Speaker, in the dangerous border region between Mexico and Texas, in the year 2008, outlaws from Mexico were caught smuggling marijuana into the United States, and they were caught by the Border Patrol agents.

Border Patrol Agent Jesus Diaz's actions later have resulted in him being sentenced recently to 2 years in a Federal penitentiary. On October 20 of this year, District Judge Ludham sentenced Diaz to 24 months in prison because the agent is alleged to have been too rough in his handling of one of the drug smugglers who was arrested; and, also, Diaz allegedly later lied about the incident to investigators.

Now, what Diaz is accused of is pulling the suspect's handcuffs back and pushing the suspect to the ground while pressing the suspect's back with his knee in order to get him to comply with the Border Patrol agent's orders. Prior to the incident the suspect had illegally crossed into Texas by boat with a large shipment of marijuana, and he was accompanied by a member of the notorious MS–13 gang.

The U.S. Government had a choice to make: Prosecute the illegal drug smuggler or prosecute the Border Patrol agent. The United States Government chose poorly. The Mexican Government demanded that Diaz be prosecuted by our government, and he was.

To top it off, the suspect was told he would not be prosecuted for illegally coming into the United States or for the marijuana he brought into the United States in return for his testimony against Border Patrol Agent Diaz.

Now, Mr. Speaker, I'm not here today to comment on whether or not Jesus Diaz used proper police procedure when he detained the suspect or whether the jury or the judge made a mistake. Those issues will be dealt with on appeal. However, it seems to me that this case should not have been prosecuted as a crime. It should have been dealt with and handled administratively within the U.S. Border Patrol, and the drug smuggler should have been prosecuted.

The U.S. Federal Government had its priorities wrong. The National Border Patrol Council, which represents 17,000 of our Border Patrol agents, our border protectors, they agree. They argue that a situation like this should have been handled administratively and did not rise to the level of criminal conduct. But millions of taxpayer dollars and thousands of man-hours were expended to obtain a 24-month sentence and a conviction for Diaz, who had already spent 8 months in custody.

There is more. An internal investigation by the Department of Homeland Security's Office of Inspector General and U.S. Immigration and Customs Enforcement Office of Professional Responsibility both cleared Agent Diaz of any wrongdoing in the 2008 incident.

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But Mexico would have none of this and demanded and got its way.

The U.S. Attorney's Office went after Border Patrol agent Jesus Diaz. And his case was tried in the western district of Texas, a jurisdiction that has a history of, in my opinion, unfairly targeting border protectors for prosecution. You remember, this is the same jurisdiction that prosecuted Border Patrol agents Ramos and Compean for allegedly shooting a drug smuggler as he ran away from the agents while they tried to apprehend him. It took a Presidential commutation in 2009 to finally end the persecution of these two agents, and millions of Federal dollars were wasted on this case.

Then there's a similar case where Deputy Sheriff Gilmer Hernandez was prosecuted for firing his weapon at a fleeing vehicle that had tried to run him over. Same jurisdiction.

But the question we must ask ourselves is why the Federal Government is spending time and money to prosecute our Border Patrol agents who put their lives on the line every day down there on the border of the U.S. and Mexico instead of spending time and money and resources to enforce immigration laws in this country.

When ICE Director Morton and Secretary Napolitano from Homeland Security recently testified in front of the Judiciary Committee, they both said they just didn't have the money or the resources to fully enforce immigration laws. They, in essence, in my opinion, granted amnesty or parole to thousands of illegals in the United States. But they have the money to go after Border Patrol agents.

Maybe they should use some of that prosecutorial discretion they're so proud of to prosecute people who cross the border into the United States with drugs over prosecuting Border Patrol agents.

In this case, the United States Government is on the wrong side of the border war. The U.S. Attorney's Office should quit being the voice of Mexico and be the voice of America. We should secure the border and keep the drug smugglers from having their way, and don't give them a get-out-of-jail-free card. It's time to get our money and our priorities straight. Let's stop going

after the good guys and spend time and money going after the bad guys.

And that's just the way it is.

DOES GOD TRUST US?

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

Mr. RANGEL. Mr. Speaker and my colleagues, as we see the Nation going through such pain, I rise once again to see why we can't get along, why Republicans and Democrats find it almost impossible to try to raise some solutions to the problems we face.

There is no question that there are many Republicans in the House and Senate that believe that the most important contribution that they can make to our country is to get rid of the President. But at the same time, we have 14 million people that have lost their jobs, many have lost their homes, their savings, their hopes for the future. Probably double that number we find underemployed. And the millions and millions of people in districts like mine where people have actually given up hope that they can restore their dignity and get the resources necessary to provide for their families.

Yesterday, the House overwhelmingly passed a bill that would support the motto ''In God We Trust.'' I reluctantly supported it because I didn't want anyone to believe that I didn't trust God. But I felt awkward because I didn't see where that was the question.

The real question, I would think, is, does God trust us? Does God trust us to do the things that every religion says we should be doing? Are we trusted to provide care and compassion for the vulnerable? Are we trusted to know that we have a responsibility to the sick, to the aged, to the disabled? That's where God really counts, no matter what your religious background is.

And to talk about a motto and sharing that, I don't think that has to be challenged. What is challenged is, what are we going to do about it?

Why do we find people young and old around the country protesting against the disparity that exists between the poor, who God said through his servant Jesus, his son Jesus, that they should be taken care of? And the Scriptures are not too kind—at least not as kind as I am—to the rich. But common decency would expect that there be fairness in the resources this great Nation would have.

And that when we find that less than 1 percent of Americans control 42 percent of the national wealth, would we find that our educational system is definitely not going to allow us to be competitive in the future? When we see that the American Dream—and that to me is the most important part of my pride in being an American; you don't have to succeed in America, but the hope and the dream that people from all countries can come here and have an opportunity to break out of their class system, out of poverty, and join the middle class.

Even those who came as slaves and had their backgrounds just eliminated; their names, their culture, their songs, their history, but nevertheless, because of the Congress and trust in God they, too, have been able to achieve, even to the extent of becoming President of the United States and honored Members of the Congress through the Congressional Black Caucus.

So once that hope is challenged by anybody, then it means for the whole world the symbol that America is supposed to be. It's not one that improves your quality of life but finds us having people losing hope in the system. The fact that we don't speak out when thousands of young Americans, brave warriors, are being killed and have been killed in countries that their families have no idea where the countries are located or what the issues were, and the necessity of protecting oil has no longer been the issue.

So I say, yes, in God we trust, but we've got a few days left to see whether or not we can have God trust in us.

BACK TO BASICS WITH THE BALANCED BUDGET AMENDMENT

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

Mr. MCCLINTOCK. Mr. Speaker, the International Monetary Fund estimated that as of Halloween night, the debt of this Nation surpassed its entire economy for the first time since World War II.

We all know that if you live beyond your means today you're going to have to live below your means tomorrow. That's the tomorrow that our generation has created for the children who were dressed up as princesses and cowboys when they came calling on Monday night. This is our generation's eternal shame. And it's something that our generation must act to set right.

The House is expected soon to vote on a balanced budget amendment that's critical to stop this plunder of our children. There are a number of excellent proposals out there, and I'd have no trouble supporting any of them. I do rise, however, to express the hope that the final product of these deliberations proves worthy of the wisdom that guided the drafting of the Constitution.

The beauty of the American Constitution is in its simplicity and its humility. The American Founders recognized Cicero's wisdom that the best laws are the simplest ones. And they realized that they couldn't possibly foresee the circumstances and conditions that might confront future generations, and therefore they resisted the temptation to micromanage every decision that might be made centuries in the future.

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Instead, they set forth general principles of governance and erected a structure in which human nature, itself, would provide guidance in future decisions to conform with these principles.

In crafting a balanced budget amendment, we need to maintain these qualities. We shouldn't attempt to tell future generations specifically how they should manage their revenues and expenditures in times that we cannot comprehend. The experience of many States that operate under their own balanced budget amendments tells us that the more complicated and convoluted such strictures become, the more they are circumvented and manipulated.

Many have quoted Jefferson's 1798 letter to John Taylor as support for a balanced budget amendment. Here is what he actually wrote:

''I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution. I mean an additional article: taking from the Federal Government the power of borrowing.''

What is a balanced budget? It's simply a budget that doesn't require us to borrow. So, as Jefferson did, why don't we just say so? Instead of trying to define fiscal years, outlays, expenditures, revenues, emergencies, triggers, sequestrations, and so on, I hope that we would consider 27 simple words:

''The United States Government may not increase its debt except for a specific purpose by law, adopted by three-fourths of the membership of both Houses of Congress.'' That's it.

Such an amendment, taking effect 10 years from ratification, would give the government time to put its affairs in order and to thereafter naturally require future Congresses to maintain both a balanced budget as well as a prudent reserve to accommodate fluctuations of revenues and routine contingencies. It trusts that three-fourths of future Congresses will be able to recognize a genuine emergency when they see one and that one-fourth of Congress will be strong enough to resist borrowing for light or transient reasons. The experience of the States warns us that a two-thirds vote is insufficient to protect against profligacy.

Some advocate going much further by establishing limitations on spending and taxation as well; but if borrowing is prohibited, there exists a natural limit to the ability and willingness of the people to tolerate taxation and therefore spending. The real danger is when runaway spending is accommodated and made possible by borrowing, which is simply a hidden future tax. The best and most effective way to invoke that natural limit is with a simple prohibition.

At the end of the week, I will introduce this 27-word amendment and will ask my colleagues to consider it with the many others that are currently before the Congress.

As I said, I like virtually all of them, as they all accomplish the purpose of restraining the reckless deficits that our generation has produced; but in drafting an amendment to guide not only this generation but all of those to follow, I would hope that we would do as the Constitutional Convention would have done had it had the benefit of Jefferson's wise counsel: to set down the general principle only and allow future generations, with their own insights into their own challenges, to put it to practical effect.

VOTING RIGHTS

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

Mr. ELLISON. Mr. Speaker, the right to vote is under attack. It may not be easy to see; but in State legislatures all across this country, we are seeing a quiet passing of laws that will strip American citizens of their right to vote.

It may come as a surprise that this is happening in the United States. Our great country is best known for its rich democratic tradition, which is predicated on the right to vote; and this right to vote has been expanding over time, not retracting. Throughout our history, brave men and women have fought and died for the right, and it has been denied to too many Americans for too long. Since its founding, the United States has been on a course toward enfranchisement, not disenfranchisement. Incredibly, that seems to be changing.

State legislatures are turning back the clock on decades of hard-fought voter protections. This year, 34 State legislatures introduced prohibitive voter ID bills. If passed, they could affect the voting ability of nearly 21 million Americans. Two States have enacted prohibitive proof-of-citizenship laws, which stand to exclude even more voters at the polls; 13 States are working to make it harder to register to vote; and nine are working to reduce early and absentee voting.

These laws add up to the greatest attack on voting rights since the Jim Crow era. In all, they could strip more than 5 million Americans of the right to vote. That figure alone is half the margin of victory from the 2008 Presidential election. Congress must act. Today, I am introducing two bills to push back against these laws and protect Americans' right to vote.

The first bill, the Voter Access Protection Act, will ensure that no American citizen is denied the right to vote because they don't have photo IDs on election day. The second bill, the Same Day Registration Act, will allow Americans to register to vote on the same day they cast their ballots. No American citizen should be turned back at the polls because they didn't register weeks or months in advance. These bills will help ensure that all Americans are able to exercise their fundamental rights in Federal elections.

If you truly believe in democracy, you should be doing everything you can to increase the enfranchisement of American citizens, not to take it away. I urge all of my colleagues to support this critical and patriotic legislation.

DOMESTIC ENERGY PRODUCTION IS THE SOLUTION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, rural Pennsylvania, like other parts of the country, have not been immune to difficult economic times; but today Pennsylvania is uniquely positioned to become a source of growth and strength for our State, the region, and the Nation through the development of what could be one of the world's largest natural gas fields, the Marcellus shale, much of which is located in my congressional district.

Marcellus production is offering our region and the country expanded access to clean, reliable, and affordable energy—and a new source of economic growth and stable jobs.

As Congress tackles challenges regarding jobs and the deficit, we must consider domestic energy production as a logical and obtainable solution to both of these challenges, for the United States has enormous untapped deposits of coal, oil, natural gas, and other sources of energy that can offer good-paying jobs, new sources of revenue, affordable and reliable energy, as well as national energy security.

The economic success story of the Marcellus shale can be replicated across this country by opening up all of America's domestic resources and allowing new investment and technologies to expand the exploration and production of America's own resources.

We can develop these resources, create jobs and tens of billions of dollars in revenues, but only if the Federal Government encourages and not discourages production. I'm not talking about a Solyndra-style subsidy but, rather, government's getting out of the way of accessing the natural resources that God has blessed us with.

PRISONER TORTURE IN AFGHANISTAN

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

Ms. WOOLSEY. Mr. Speaker, a few weeks ago, I spoke in this Chamber about the U.N. report that outlined, in gruesome detail, prisoner abuse at detention facilities in Afghanistan—inmates beaten with electrical wires, hung from their wrists, and much worse. Now additional reporting by The Washington Post has revealed that U.S. officials knew for some time about this torture of prisoners by Afghan security forces.

So what did our top people in Afghanistan do about these warnings? Apparently, not a thing.

For years our Special Operations forces and CIA officials had been in and out of these prisons—dropping off detainees, meeting with Afghan authorities, taking advantage of the intelligence gathered there. We paid to rebuild one prison with the cold and chilling name Department 124, which sits behind a concrete fortress near U.S. military headquarters in Kabul.

It would be hard—actually, it would be impossible—to miss what was going on inside those walls; but for a long time, it was ignored—nothing said, no meaningful oversight exerted. It wasn't until a few months ago, when the U.N. made it clear they were releasing a report detailing the torture, that our military commanders suddenly took notice and stopped sending prisoners to these facilities. In a flash, they instituted a monitoring program and human rights training.

□ 1050

It's embarrassing, Mr. Speaker. But it seems like our leadership was more concerned about public relations damage control than adherence to human rights norms and international law.

The American people have sacrificed a lot for this war. And in return, they've been fed a lot of high-minded assurances that we're doing important work that advances American values. The name of this mission is Operation Enduring Freedom, but apparently we're not practicing what we preach in Afghanistan because torture has no place in free society, no place in a campaign that professes to be about human dignity and the rule of law.

At a time when we're considering major cuts right here at home in life-saving domestic programs so that we can get our fiscal house in order, how can we possibly justify spending billions of dollars every week on a military occupation that seems to be promoting and encouraging torture? We cannot wash our hands of this. We cannot avoid responsibility because this is happening on our watch.

Torture, whether we're practicing it ourselves or just tacitly condoning it, isn't just reprehensible; it's bad national security policy as well. It represents the United States of America in the worst possible light and is surely a great recruitment tool for the terrorists. When it comes to international affairs, the greatest currency we have is our moral authority, but we continue to waste it by acting like outlaws instead of the greatest superpower on Earth.

Mr. Speaker, the time has come. It is time we had a national security approach that showcases the very best of America, one that demonstrates our decency and compassion, one that emphasizes diplomacy and reconciliation, one that puts civilian and humanitarian experts on the ground instead of 100,000 troops with guns.

You don't need to invade a country to prove that America is strong or to keep America safe. That's the heart of my SMART security plan that I have been talking about for many years now. We've tried belligerence. We've tried force. And over the last decade—well, actually, we've tried all of this forever, and it just has not worked.

It's time, Mr. Speaker, for this war to end. It's time to implement a SMART security platform. It is time now, Mr. Speaker.

HONORING AMERICAN HERO LANCE CORPORAL JUSTIN GAERTNER

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

Mr. NUGENT. Mr. Speaker, I rise today to honor a great son of Trinity, Florida, Corporal Justin Gaertner of the United States Marine Corps First Combat Engineer Battalion. I have had the honor of getting to know Justin over the past year, Mr. Speaker, and I would like to share his story.

After being deployed to Afghanistan, Justin took on one of the most dangerous jobs there is in the Marine Corps. He was the lead sweeper, clearing roads of IEDs in advance of U.S. vehicles.

On November 26, 2010, Justin's unit was traveling with an eight-truck convoy. One of the trucks struck an IED. Following the explosion, one of Justin's good friends, Corporal Gabriel Martinez, lost both of his legs in a second IED attack while he rushed to aid that downed vehicle. Justin desperately wanted to help his friend, but his responsibility was to continue the mission, to continue to sweep for IEDs to ensure the safety of the rest of the convoy. It was during the sweep that a third IED was remotely detonated as Justin had just entered that area. The explosion propelled Justin into the air and took both of his legs and severely injured one of his arms. Justin paid a terrible price that day while helping to protect fellow marines.

When I first met Justin at Walter Reed Army Hospital in January of this year, he was more concerned about his brother marines that were still in country than he was about his own safety. He wanted to return to that company of marines to help ensure the safety of his fellow marines that were still left in Afghanistan. That's what heroes do. He's since made an incredible recovery while at Walter Reed National Military Medical Center, but that was with the help of dedicated medical staff, the support of his mother and his family and of fellow marines. Justin is getting stronger every day.

When I first met Justin in January of this year, he told me one of his future goals was to compete in a marathon. Today I'm proud to announce that this past weekend, less than 1 year since he was wounded in combat, Justin completed the 2011 Marine Corps Marathon in the hand crank division in 2 hours, 50 minutes, and 39 seconds. Justin and his family have been an inspiration to me and make us all proud to be Americans because of their sacrifice on the battlefield.

On behalf of a grateful Nation, I want to take this opportunity to again thank Justin for his bravery and his sacrifice on behalf of his Nation. And I want to thank all the troops that have been in harm's way, that have volunteered to protect this great Nation at great risk to themselves.

SHADES OF GREEN

IN HONOR OF AN AMERICAN HERO, LANCE CORPORAL JUSTIN GAERTNER, 1ST COMBAT ENGINEER BATTALION, THE UNITED STATES MARINES

Shades . . .
Shades of Green . . .
On battlefields of honor bright . . .
There are but all of those who but bring their most magnificent light . . .
As Brilliant, as brilliant . . . as any seen in this sight!
All in their Magnificent Shades of Green!
For these are but, The United States Marines!
Such men of might, who over evil do all in the darkest fights!
Rushing into the face of death, as they are seen!
Oh yes, to be a United States Marine!
To but wear so proudly, those most Magnificent Shades of Green!
As it was in battle . . . All in that fight . . .
When a Combat Engineer, with nerves of steel . . . Named Justin so appeared . . .
The kind of men who have no fear!
As Justin, walked through the Valley of Death . . . out on attack . . .
When, an IED . . . Almost took his life . . .
While, all in that moment of death or light . . . his fine heart grew even greater in sight!
And on that next day as he awoke . . . as his heart to him so spoke . . .
So spoke to him, as tears rolled down his face . . .
As he so realized, the full nature of what had took place . . .
But, this Strong Son of the South . . . would not so give up now . . .
Wiping the tears from his face, shining even brighter on that day!
All in those Shades of Green . . . as his new battle was under way!
As they took his legs, and most of his arm . . . but not take his heart that day!
As something so told him deep inside, get up and start running now . . .
As with his great heart, his first new steps he found!
To fine the faith and courage to so move onward now!
Because Marines Do! And Marines Win!
And failure was not an option, to any of them!
As one of Florida's brightest sons,
He said to himself, I will stand and I will run!
Pity get out of the way, I've got miles to go before I'm done!
Justin time, as his brave heart so began to run!
Taking him to even greater places and heights where mere men have never gone!
Because Marines climb mountains
Marines climb walls . . .
Marines always stand tall!
As there you go Justin, running to recovery!
Oh what a discovery, an even brighter Shade of Green!
As Justin You Will Teach Us . . .
As Justin, You Will So Beseech Us . . .
As it's so deep down in our hearts Justin, that you will reach us!
All in what your life means!
And if I had a son, I wish he could so shine half as bright as this one!
All in his most magnificent Shades of Green!
As one day too Justin, up in heaven you will be seen!
As an Angel, all because of how you so wore and so carried yourself . . .
All in those most magnificent Shades of Green!
Ooo . . . Rah!

RECOGNIZING THE IMPORTANCE OF LABOR UNIONS

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

Mr. PAYNE. Mr. Speaker, nearly 25 million Americans are currently unemployed or underemployed; yet despite this disparaging rate, efforts to strengthen the workforce are being derailed by special interest attacks on the middle class and workers. In Wisconsin, Governor Scott Walker has taken away nearly all collective bargaining rights from the majority of the State's public employees.

An Ohio referendum on State Senate Bill 5 aims to strip public workers of collective bargaining rights. For the 4 years prior to the enactment of Ohio's collective bargaining law, the State led the Nation in safety forces work stoppages. When the city and its safety forces had a dispute concerning wages, working conditions, and adequate staffing, there was no way to resolve the dispute. That is why the collective bargaining law was passed. And the law has worked. There have been no safety forces work stoppages in Ohio since the law was passed.

Only through collective bargaining do American workers still have a voice. Still, this right is being attacked.

The New Jersey Statehouse passed a bill destroying the right of public sector unions to collectively bargain over health care and pension issues. These efforts to turn back the clock on public safety and on those who protect and serve are unacceptable.

Today I rise in support of the workers of Wisconsin; I rise in support of the workers of Ohio; I rise in support of the workers of my home State of New Jersey. I rise today in support of the millions of Americans who stand as proud union members seeking fair labor treatment and a fair shot at the American Dream.

I have been protected by unions. I worked as a truck driver; I worked as a teacher; I worked on the docks of Newark; I worked as a waiter; I worked in the breweries of Newark—all of them protected by strong unions. And that's what helped me get through college and helped me get to the United States Congress.

□ 1100

Today, I stand with 99 of my House colleagues to speak on H. Res. 452,

which I introduced yesterday and which will recognize the importance labor unions play by ensuring a strong middle class by advocating for more equitable wages, humane working conditions, improved benefits and increased civic engagement of everyday citizens—the 99 percent. Ninety-nine Members cosponsored this resolution, and I'm proud to introduce it.

Unions have pioneered benefits such as paid health care and pensions and have helped strengthen access to the American dream by helping to establish government policies and efforts such as family leave, minimum wage, and Social Security. Unions have also been effective in supporting immigrant rights, trade policy, health care and living wage legislation.

Unions have been the voice for everyday Americans—from consumer protections to health, safety, and civil rights. The labor movement has fought to allow workers to negotiate on more equal footing with their employers, providing for a healthy, balanced workplace.

Unions benefit everyone, members and nonmembers. According to the Economic Policy Institute, if more of the 66 million American workers who want to join a union could join one tomorrow, their paychecks and benefits would increase, but so would millions of others. The union premium, as it's called, succeeds in lifting wages of nonunion employees in the same industries while not being a deterring factor of the State's economic or its growth record.

Unfortunately, there has been a decline in union membership, due largely to unfair labor practices and scare tactics by union-busting employers. Between 1999 and 2007, more than 86,000 workers filed unfair labor practice claims with the NLRB for being illegally fired by their employer for union activity.

As a result of such efforts to weaken unions, among other things, our economy continues to suffer and the gap between the rich and the poor continues to widen, undermining the foundation of the American middle class. Contrary to the belief of union bashers, unions do not increase unemployment or reduce job opportunities. Rather, there are a great deal of facts that correlate the strength of the economy and the middle class to the growth or decline of union membership.

Further, a recent report from the Congressional Budget Office also infers the impact that union membership decline has had on our economy and wealth distribution. The report found that from 1979 to 2007, average inflation-adjusted after tax income grew by 275 percent for the 1 percent of the population with the highest income. For those in the top 20 percent of the population, average real income grew only by 65 percent. However, the bottom fifth rose only by 18 percent. Three-fifths of the people are in the middle, and they grew by 40 percent. So that is not an equal distribution of growth wealth.

The Wall Street Journal has stated ''the main reason U.S. companies are reluctant to step up hiring is scant demand.'' Demand is scarce because wages are stagnant while profits are up. The chief investment officer at JPMorgan Chase states: ''U.S. labor compensation is now at a 50-year low relative to both company sales and U.S. GDP.'' While wages are down, profit margins are up.

Let me ask you to support this legislation. We will continue to stand on the steps of Ohio, march in the streets of New Jersey, in our neighborhoods. I, in addition to the 99 Members of the House who support this bill, we urge its passage.

FINDING COMMON GROUND

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

Mr. BENISHEK. Mr. Speaker, there has been a lot of talk about the partisanship and venom in Washington this year. And while we will certainly see fierce debates in the future, I believe Members of this body can still come together and find common ground.

On the surface, my colleague HANSEN CLARKE and I are very different. He is a lawyer representing the city of Detroit with a liberal voting record. I'm a conservative physician representing rural northern Michigan and the Upper Peninsula. We are both new to this House and share an interest in learning more about the unique challenges facing Michigan's citizens. After meeting HANSEN during freshman orientation, we agreed to tour each other's district.

In August I had the opportunity to head down to Michigan's 13th District in Detroit. There we toured employers such as Edward C. Levy Company and Mercy Primary Care Center and got to have some lunch on Mack Avenue. It was great to learn more about the district and be back in Detroit where I did my medical training. Next week Congressman CLARKE will tour with me in Michigan's Upper Peninsula. We will be meeting with area employers in Marquette and Escanaba, and will be getting a chance to see the splendor of Lake Superior with a visit to Pictured Rocks National Lakeshore in Munising. I hope HANSEN will even get to try one of northern Michigan's famous pasties for lunch.

Mr. Speaker, although HANSEN and I are from different parties and dramatically different parts of the State, we are united in the goal of improving economic conditions in the great State of Michigan. We believe that neither party has a monopoly on good ideas, and by working together, we can help shape a better future for our children and grandchildren.

Despite our difference of opinion on many issues, we both recognize that America remains a place in the world like no other, and that with liberty, courage, and hard work, there is no limit to one's destiny. I encourage all Members of this Chamber to pair up and schedule a visit to a different district.

Congressman CLARKE, I'm honored to have you as my friend, and I look forward to having you in Upper Michigan next week.

WORKING TOGETHER TO SERVE AMERICANS

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

Mr. CLARKE of Michigan. Mr. Speaker, I want to thank Congressman BENISHEK for that wonderful invitation for me to visit your district. Northern Michigan and the Upper Peninsula, it's one of the most beautiful areas you can ever see in the country. It has delicious food and great people. I know I'm going to have a wonderful time. But also, too, my visit to northern Michigan will help DAN and I have another set of common experiences that we can use to help serve our people together.

With his area in northern Michigan and with the area that I'm hired to represent, metropolitan Detroit, we can focus on the common needs of our people. Let me give you an example. When Representative BENISHEK visited the east side of Detroit with me this past summer, we found out we had a lot of things in common. I'm born and raised on the east side. Well, he actually lived on the east side when he attended one of the finest medical schools in the country, Wayne State Medical School in the city of Detroit.

We visited several places, but in particular we visited the Mercy Primary Care Center. This is a health clinic located right in the heart of Detroit. Firsthand, we were able to hear from and see the challenges that many of our veterans are facing. Our veterans—these were young men and women who, because of their loyalty to our country, were sent overseas. They risked their lives. They risked their mental and emotional well-being. Many of them came back to Detroit only to face a place where they can't even find a job. They can't even find a home. They are out on the street with no place to live. No one should have to live in that type of indignity.

Representative BENISHEK, as a physician and as a Member of the House committee that oversees the Department of Veterans Affairs, he wanted to work with me to better serve these veterans. So he and I are now working together with the Department of Veterans Affairs to better provide shelter, health care, and training to these homeless veterans in the city of Detroit. This is an example of how Republicans and Democrats can work together to help our people.

And you know what? It's not really that hard for he and I to work together. The folks that he represents

and the people that I serve in metro Detroit, like all Americans, we all want the same thing. We just want to have a chance to live a decent life. We want those rights that are spelled out in the preamble of the Declaration of Independence, rights of life, of liberty, and the pursuit of happiness, just a chance to live your life as fully as you choose it. That's the American dream.

So while the deliberations of this House many times highlight the differences between Republicans and Democrats, he and I are choosing to underscore how we can work together to serve our people and make this country an even better place to live. It's my greatest honor to visit the Upper Peninsula, and it's also my honor to serve this country as a Representative of metropolitan Detroit.

□ 1110

FARM ACT OF 2011

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

Mr. HUELSKAMP. Mr. Speaker, as I have traveled across the First District of Kansas to host more than 70 in-person town hall meetings during my first 10 months here in Congress, constituents have reaffirmed our shared belief that Washington cannot be everything to everybody and nor should it be. They have told me they can and want to do more with less. They know that the more Washington spends today, the more their children and grandchildren will have to pay back in the future, and likely to a foreign nation.

And while they scale back their expectations, they want Washington to scale back what it asks them to do. The ever-tightening grip and imposition of the Federal bureaucracy's expensive, counterproductive, and unnecessary burdens are killing America's agriculture industry. Today, I will introduce the FARM Act of 2011—Freeing Agriculture to Reap More Act. I am unveiling it today in light of the pending ag discussions we hear are occurring in the supercommittee.

The FARM Act reflects the conversations I have had with constituents and farm groups all across the First District and addresses their concerns about the economic impacts of overregulation. In essence, the FARM Act adds a regulatory title to the farm bill. Given the consequences of overregulation, it merits its own title amid others like trade, research, conservation, or farm credit.

Farmers and ranchers arguably pay some of the largest costs for Washington's crushing burden of overregulation. Whether it is on youth involvement on family farms, pesticide application permits, greenhouse gases, farm dust, farm commercial vehicles, fuel hauling limitations for farm equipment, or livestock emissions taxes, the Federal Government continues to insist that it control the intricate, day-to-day affairs of America's agriculture community. The FARM Act prohibits this regulatory overreach.

Kansas' family farms do not need Washington writing detailed instruction manuals for them on how much fuel they can or cannot put in their tractors. They do not need Washington prohibiting them from teaching their own children the value and importance of hard work by allowing them to work a few hours on the farm. And they most certainly do not need Washington imposing taxes on them for supposed greenhouse gases emitted by their livestock. No, they need Washington to let them run their operations in the safe and responsible, yet productive, ways they have done for generations. The FARM Act allows our family farms to continue the family tradition without fear of expensive and unnecessary regulations.

Like the families that live and the farms that operate in rural America, small towns in the First District of Kansas also have no need for additional instruction from Washington. That is why the FARM Act prohibits funding for the newly established White House Rural Council. Rural communities are the embodiment of family and entrepreneurial freedom, and this council seeks to replace that freedom with centralized planning schemes. We simply cannot afford more of the President's failed approaches.

I urge my colleagues to join me in supporting the FARM Act of 2011. It's time to stop the overregulation of America's farmers, ranchers, ag communities, and rural America. It's time to put an end to Washington's distrust of America's growers, ranchers, and producers, as well as all of rural America.

VOTER SUPPRESSION

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

Mr. JOHNSON of Georgia. Mr. Speaker, ladies and gentlemen, nothing is more fundamental in our democracy than the right to vote. Unfortunately, our right to vote is under attack.

According to a new report by the Brennan Center for Justice, voter suppression laws in States across the country could affect up to 5 million voters from traditionally Democratic demographics in 2012. It's no coincidence that this number is larger than the margin of victory in two of the last three Presidential elections.

These voter ID laws do nothing more than discourage and block eligible voters, especially students, the poor, seniors, and minorities. These are Americans who tend to vote for Democrats.

Recently, the media reported that a 96-year-old woman was denied a voter ID card in Chattanooga, Tennessee, because of one of these new laws. Her name is Dorothy Cooper, and she is a retired domestic worker. In fact, she was born in my home State of Georgia, and she relocated to Chattanooga so that she could find work. She could not get all the documents together, and so, therefore, her request for a government-issued ID was denied.

After Indiana's photo ID law was implemented, the media reported about a group of elderly nuns who lacked driver's licenses and current passports, and they were turned away from the polls. Unfortunately, if States continue to pass these restrictive and unnecessary voter ID laws, we will hear more of these stories.

The Tea Party Republicans are trying to hijack our right to vote so that they can steal the 2012 election. I don't know about you, but I'm disgusted with Tea Party Republican attempts to use voter suppression laws to erode traditionally Democratic voters by blocking their access to the polls.

These voter ID laws do not prevent fraud. In fact, they do nothing other than suppress voter turnout. America has not seen this level of suppression since the days of poll taxes and literacy tests.

More than 30 States introduced legislation this year designed to impede voters at every step of the voting process. These laws do not combat fraud but prevent millions of hardworking, taxpaying Americans, especially minorities, young voters, the working poor, people with disabilities, and senior citizens from casting ballots in 2012 and beyond, making this the most significant setback to voting rights in a century.

Photo ID restrictions disenfranchise eligible registered voters. An estimated 11 percent of U.S. citizens—21 million people—do not have current, government-issued photo ID's. While poll taxes were abolished more than 60 years ago, this new slew of voter ID laws is reminiscent of the days when poll taxes were required, days which none of us want to revisit.

These Tea Party Republicans have been scheming from day one of President Obama's term in office to make sure that he's a one-term President. They want to take ''their'' country back. So State legislators, in accordance with this scheme, have passed a spate of laws specifically designed to block access to the ballot box by voters who tend to vote for Democrats. It's not fair, it's not right, and it's simply un-American.

Ladies and gentlemen, now is the time for all good men and women to come to the aid of their country.

□ 1120

NATIONAL RECYCLING WEEK

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

Mr. FLORES. Mr. Speaker, I rise today to recognize National Recycling Week.

Recycling and the return of recycled materials to the manufacturing process

plays an important role in the global competitiveness of U.S. industries. The use of recycled materials in manufacturing significantly reduces energy use and emissions levels, reducing the cost of producing goods. For example, in the glass industry, every 10 percent of recycled glass used to make new glass containers means a 2 to 4 percent drop in energy use and a 4 to 10 percent reduction in greenhouse gas emissions. Glass containers can be used multiple times to make new containers, but most used containers do not wind up back in the manufacturing process.

Next week I plan to tour an Owens-Illinois glass plant in my district. Owens-Illinois has been a part of the Waco community since the 1940s and provides jobs to over 300 people. These are jobs we want to keep in America, but O-I needs more recycled glass to remain competitive. Unfortunately, glass and other containers have low recycling rates when they are collected through single-stream collection systems. Further, the lack of data on recovery rates is a barrier to finding effective ways to collect more recyclable materials that can be used in manufacturing.

Congress should encourage all stakeholders to take steps to improve data collection related to the recovery of recycled materials, review ways to increase the collection of recycled materials, and increase the amount of recycled materials available for manufacturers. By improving the collection of recycled materials, we can make American manufacturers more competitive and protect and create highly skilled, high-paying jobs.

This is another Main Street solution to grow American jobs under the House Republican Plan For America's Job Creators. I encourage all Americans to learn more about this plan at jobs.gop.gov.

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 23 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 pro tempore (Mr. TERRY) at noon.

PRAYER

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

God of the universe, we give You thanks for giving us another day.

Bless the Members of this assembly as they set upon the work of these hours, of these days. Help them to make wise decisions in a good manner and to carry their responsibilities steadily, with high hopes for a better future for our great Nation.

Deepen their faith, widen their sympathies, heighten their aspirations, and give them the strength to do what ought to be done for this country.

May Your blessing, O God, be with them and with us all this day and every day to come, and may all we do be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from North Carolina (Mr. MCINTYRE) come forward and lead the House in the Pledge of Allegiance.

Mr. MCINTYRE 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.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 2, 2011.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 2, 2011 at 9:19 a.m.:

That the Senate passed with amendments H.R. 2112.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

A CONSTITUTIONAL AMENDMENT TO BALANCE THE FEDERAL BUDGET

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

Mr. SULLIVAN. Only in Washington, D.C., are we debating whether it's a good idea to balance the Federal budget. The American people don't have the luxury of choosing. Families and businesses across the country are forced to balance their budgets and live within their means, and the Federal Government should be held to the same standard.

I believe a constitutional amendment to balance our Federal budget is a real long-term solution to our Nation's fiscal problems, and I am pleased Congress will soon vote on one for the first time in 15 years.

This is a critical time for our Nation. Over 14 million Americans are unemployed, and our record-setting level of debt is over $14 trillion. Congress has a moral obligation to our children and grandchildren to stop the outrageous spending and to restore fiscal sanity in Washington in order to ensure we don't leave them under a mountain of debt.

I will continue fighting for a constitutional amendment to require the Federal Government to live within its means just like families across Oklahoma do every day.

WHITMARSH HOUSE

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

Mr. CICILLINE. Mr. Speaker, I rise today to recognize Whitmarsh House in Providence, Rhode Island—a safe haven and support network for Rhode Island youth, adults with developmental disabilities, and families for over 40 years.

In recognition of the organization's commitment to excellence, Whitmarsh House has received a 3-year accreditation from the Commission on Accreditation of Rehabilitation Facilities, or CARF. CARF is an accrediting body that recognizes an organization's demonstration of accountability and conformance to internationally accepted standards in providing essential health and rehabilitation services to its community. This accreditation comes as no surprise given the vital and quality services Whitmarsh House provides every day to our communities in Rhode Island.

Whitmarsh House has served hundreds of youth through programs that support their development as productive and contributing members of our society. I am proud to honor Whitmarsh House and to congratulate the dedicated staff on receiving this important accreditation. I look forward to seeing its continued work for the community in the coming years.

THE UNESCO VOTE ON THE PALESTINIAN AUTHORITY

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

Mr. OLSON. Mr. Speaker, I rise with deep concerns about yesterday's vote to grant the Palestinians full membership in the U.N. organization known as UNESCO.

America has been crystal clear about what the consequences would be for this kind of end run around negotiated peace between Israel and the Palestinians seeking their own nation. This action by UNESCO emboldens the fraudulent Palestinian bid for recognition without the Palestinians immediately recognizing Israel's right to exist as a Jewish nation-state or even denouncing their stated goal of Israel's destruction.

The United States had no choice but to refuse to make a scheduled $60 million transfer to UNESCO. That $60 million should be used to pay down our Federal debt instead of to support an organization committed to thwarting peace in the Middle East.

FLIGHT 3407 EMAILS

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

Ms. HOCHUL. On a cold, snowy night in February 2009, the lives of hundreds of people in my district were shattered. The cruel irony of 50 loved ones killed in a plane crash the Friday before Valentine's Day weekend is lost on no one in my district, near Buffalo, which is exactly where the Colgan Flight 3407 plane crash occurred.

The families began a quest for answers—hearings on Capitol Hill and NTSB investigations. Finally, we thought we had the answers. Yet it wasn't until a lawsuit was filed in Federal court in Buffalo and through the perseverance of a Buffalo news reporter that they finally announced that the company never gave critical emails regarding the inability of this pilot to fly this plane. Those emails were never revealed until now.

That's why I teamed up with our local delegation—Congresswoman SLAUGHTER, Congressmen HIGGINS and REED, and Senators SCHUMER and GILLIBRAND—to call for a Federal investigation by the United States Attorney General into what this company knew and when they knew it. Whether they possessed critical emails at the right time, whether they gave them to us, whether there were other emails that would shed light as to what happened on that night, the families deserve to know; western New Yorkers need to know; and America needs to know.

IN HONOR OF OTTERBOX

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

Mr. GARDNER. Mr. Speaker, I rise today to honor the charitable contributions and achievements of OtterBox, a business located in Fort Collins, Colorado.

This business manufactures and develops coverings for tech products, like cell phones and iPads, and it employs 350 people in my congressional district. Aside from their great products and innovation, OtterBox received national recognition by being named an honoree for National Philanthropy Day in Colorado.

Last year OtterBox created a new wing to their business, one devoted to altruistic values to help the surrounding community. This wing was appropriately named OtterCares. OtterCares has participated in many service projects, like providing school supplies to low-income children and by donating 600 toys to less fortunate families during the holiday season. Their work also includes volunteering at local food banks, youth centers, and animal sanctuaries.

In addition, the company gave all 350 employees a $200 grant to give to a charity or foundation of their choosing. The $200 was just a start. They encourage their employees to raise and donate more. To this day, OtterBox has raised over $74,000 for 70 different organizations.

The business utilizes this slogan: ''Throw a stone in the water, and watch how far the ripple can spread.''

The ripple started by OtterBox is helping the entire Fort Collins area. It is with great pride that I recognize OtterBox on the House floor.

□ 1210

REBUILDING THE AMERICAN DREAM

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

Mr. CARNAHAN. Mr. Speaker, with less than 2 months left in 2011, this Republican-controlled House has yet to focus on the top issues facing our country: creating jobs, growing our economy, and rebuilding the American Dream. Back home in St. Louis, I have seen firsthand how businesses, families, seniors, and students are frustrated and suffering because of inaction, obstruction, and political games in this Congress.

Last week I met with business owners in my home State, including a commercial and residential plumbing company in St. Louis. That business is suffering from the terrible housing market and poor economy. It's our responsibility to work to help our constituents who have built businesses that have been hard-hit by these tough times.

The President has proposed the American Jobs Act which would help put people back to work. And independent economists say this bill would help create more than 1 million jobs. It's time for action. We cannot retreat to our ideological corners and ignore the challenges that we face. I will work with anyone, anywhere, anytime to grow the economy and help create jobs. I challenge my colleagues to work with that same spirit. It's time we pull together and put our country first.

ARNOLD DE LA PAZ

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

Mr. FARENTHOLD. This year Mr. Arnold De La Paz, the founder and president of DLP Group, Inc., in Corpus Christi, was named the Small Business Association's Lower Rio Grande Valley District Minority Small Businessperson of the Year.

Mr. De La Paz is a service-disabled veteran who started his career with a small painting company and eventually, through hard work and dedication, founded the DLP Group, which is now one of the largest paint manufacturers in America. Mr. De La Paz is one of many small business owners that work every day to live and realize the American Dream. We must continue to foster an environment where job creators like Mr. De La Paz can succeed. We can do that here in Washington by simplifying the Tax Code, reducing government regulation, and getting the Federal budget under control.

I think Mr. De La Paz summed it up well when he said, ''Our Nation has always been about the urge to dream and the will to enable it.'' Mr. De La Paz is an example to other small business owners. His contributions as a job creator who has worked tirelessly to put Americans back to work is what this country is based upon.

VETERANS' TUITION

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

Mr. MCINTYRE. Mr. Speaker, as we approach Veterans Day and are ever thankful for the veterans and servicemen and -women who have made our country great, I rise to pay tribute to Sergeant Jason Thigpen of Wilmington, North Carolina, who is here with us today. After his service in Iraq, Jason started the Student Veterans Advocacy Group at the University of North Carolina at Wilmington to support student veterans and dependents seeking a college education.

Jason, who is a Purple Heart medal recipient, has shared with me and others here on Capitol Hill his concerns that the Post-9/11 Veterans Educational Assistance Act disallows out-of-state students to receive in-state tuition at public universities, thus making it cost-prohibitive for them to attend these public universities, even though they otherwise qualify. I am certain that my colleagues here would agree that our returning veterans who are pursuing an education under the GI Bill should not have to worry about whether it's in-state versus out-of-state tuition. These courageous individuals have been at the forefront defending our freedoms and our values. They should not be denied their opportunity to pursue an education. Let's support our student veterans.

JOBS CAN'T GROW WHEN CASH FLOW SLOWS

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

Mr. CRAWFORD. Mr. Speaker, I rise today to address a topic that concerns most Americans at this time, and that's jobs. The House has opposed the administration when they have proposed hitting job creators with new taxes or more regulatory burdens. So far this year, the House has passed a total of 17 job-creating bills. This week, the House will vote on two jobs bills that will enable small businesses and entrepreneurs to access more capital to create more jobs. Jobs can't grow when the cash doesn't flow. Smarter regulation and fewer roadblocks to capital will help job creators put more Americans back to work.

We in Congress have the responsibility to give entrepreneurs and small business owners the business environment they need to unleash America's economic potential. That's what we were sent here to do, and that's what our constituents deserve.

ASSISTANCE FOR OUR VETERANS

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

Mr. CLARKE of Michigan. Mr. Speaker, earlier this morning, I spoke on how glad I was that the Representative from Michigan's First District was able to take a tour of the city of Detroit and visit Mercy Primary Care Center. But when I visited that center, I was also appalled. I was appalled by what I saw and what I heard—that our veterans from metro Detroit, our veterans, young men and women who risked their lives, their physical and mental health for our country, who went overseas and came back home to face only no prospect of employment, no income to even provide them with decent shelter, little access to mental health and substance abuse treatment. So as a result, folks that we should be revering as heroes ended up on the streets of Detroit, living like animals. No one deserves to live that way in this country.

So right now, I'm asking this Congress, instead of just focusing on cutting everything and cutting programs and funding initiatives, let's help put people back to work. Let's provide them with mental health and substance abuse treatment and give them the dignity that every American deserves.

FLOOD PROTECTION FOR THE MISSOURI RIVER BASIN

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

Mr. BERG. Mr. Speaker, North Dakota has experienced devastating and unprecedented flooding this year. To provide additional flood control storage, our State requested that the Corps lower the water levels in Lake Sakakawea. This could help prevent a repeat of this year's flooding. Last night, the Corps denied our State's request. I strongly disagree with this decision.

The people of North Dakota are more than just frustrated. They have lost so much to flooding, and they deserve more say in the Corps management of the water levels. I have called on the Corps to testify before Congress on what went wrong this last spring, and I will continue to press for an honest conversation about the Missouri River Basin's flood protection. The Corps should do everything within its power to prevent another devastating flood next spring. Unfortunately, this recent decision suggests that the Corps is continuing forward with the same management plan that failed so badly this spring. Things need to change now before the people of North Dakota and other Missouri River States are faced with another devastating loss.

FINDING COMMON GROUND

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

Mr. YARMUTH. Mr. Speaker, this week at the University of Louisville's McConnell Center, the Speaker of the House gave a speech on the need to find common ground, but without compromise. We've been testing the wisdom of this approach all this year. Here's what we've gotten: stalemate, manufactured crises, and an inability to act on behalf of the American people.

In a government as polarized as this, insisting on common ground while refusing to compromise is maybe the best way to guarantee that 90 percent of our Nation's problems go unsolved. Not coincidentally, that's the same percentage of Americans who disapprove of this Congress and its ongoing search for a hidden, preexisting common ground.

I encourage the Speaker to hear the people out on this. They know the solutions which we've already agreed are the easy ones, and they didn't elect us to make easy decisions. They elected us to solve difficult problems. In other words, to lead. Real leaders don't just look for common ground. They create it. Our country was formed through compromise and has been strengthened by it for more than 200 years. Until Republicans provide leadership that values results over ideology and economic progress over antitax pledges, this Congress will continue to fail America.

REPUBLICAN NO-JOBS AGENDA

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

Mr. SIRES. Mr. Speaker, it has been 43 weeks since Republicans took control of the House, and we have had 817 recorded votes, yet they have failed to pass a single bill to create jobs. In turn, they have actually voted against, blocked, or ignored an array of job-creating proposals, including the American Jobs Act as well as segments of the American Jobs Act.

There are 14 million Americans out of work that are counting on Congress to pass legislation that creates jobs and improves the American economy. The American Jobs Act will create and preserve jobs now, put money back into the pockets of working Americans now, and give businesses job-creating tax breaks now. Unfortunately, the majority is continuing a no-jobs agenda by refusing to hold a vote on the American Jobs Act. The House majority will not even follow the Senate's lead by bringing job-creating components of the bill, like the provision that preserves jobs for teachers and first responders, up for a vote. Mr. Speaker, we must act now to establish confidence in our economy, and the American Jobs Act is one way to achieve that goal.

□ 1220

LATINO VETERANS

(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. Mr. Speaker, I rise today to commemorate the 70th anniversary of World War II and to commemorate the service of Hispanic Americans who served in World War II and in all wars, and to commemorate our Latino veterans across America.

During World War II, 500,000 Americans of Hispanic ancestry courageously answered our Nation's call, including Latinos such as Ted Williams, Manuel Ortiz, Maria Dolores Hernandez, Jose Limon, Desi Arnaz, Cesar Chavez, and Guy Gabaldon.

The Hispanic American soldiers fought with integrity and bravery, earning 126 Distinguished Service Crosses, over 1,400 Silver Stars, and 2,807 Bronze Stars for valor. They earned these medals sacrificing their lives and blood to preserve the United States and freedom around the world. Through the war, over 12,000 Latinos were awarded the Purple Heart for wounds suffered in combat; 2,561 Latinos were prisoners of war; and 9,831 Latinos were killed in action.

Because of their record of service, Mr. Speaker, I introduced H. Res. 404, which recognizes the service and the sacrifice of the members of the Armed Forces and veterans who are Latino; and I urge my colleagues to cosponsor this legislation.

I wish to remember these war heroes and the stalwart and selfless service of Latinos in military history 70 years after World War II.

A NO-JOBS AGENDA FROM A NO-SHOW REPUBLICAN CONGRESS

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

Mr. POLIS. Mr. Speaker, here we are 43 weeks into the current Congress since the Republicans took control of the House, and yet we have failed to pass a single bill to create jobs. Fourteen million Americans without jobs, many millions more are underemployed, worried about where their next paycheck is coming from. And yet the majority has continued to block and ignore a number of job-creating proposals advanced by Democrats, including the American Jobs Act. I renew my call for Speaker BOEHNER to bring the American Jobs Act to the House floor and allow the House to work its will to create jobs for the American people.

The majority party will respond that there are a number of bills, but just by calling a bill a jobs bill doesn't make it one, such as bills that would increase childhood asthma and make people of all ages more ill by preventing our EPA from enforcing its clean water standards. The Dirty Water Act, again, instead of creating jobs, the bill undermines the Clean Water Act. It's not a zero sum game. And by damaging our environment and making people sick, we're not creating jobs.

I call upon the House of Representatives to pass jobs bills now.

AMERICAN JOBS ACT

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

Mr. BACA. Mr. Speaker, across the country, 14 million Americans, I state, 14 million Americans are looking for work. And yet there are no jobs that have been created, and the Republicans still don't have a jobs plan.

In my congressional district in San Bernardino County, the unemployment rate is 17 percent. People throughout our country are hurting. They're hurting. They can't wait any longer for Congress to do the job. We must bring the American Jobs Act for a vote. It will provide an opportunity to put people to work.

It contains bipartisan ideas. It puts our teachers, firefighters, first responders, and cops back to work. It provide tax cuts that will help small businesses create new jobs. It puts our veterans and returning troops back to work with a tax credit and provides an immediate boost to our economy.

Republicans have supported all of these ideas in the past. It's time they support them again. We must work together and pass the American Jobs Act.

HOUSE REPUBLICAN JOBS PLAN

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

Mr. YODER. Mr. Speaker, our economy cannot recover without tapping into the unlimited creative talents of the American people. Innovators and entrepreneurs all across the country are primed to be the spark that ignites the economic engine of America, putting millions of Americans back to work. But these bright job creators face many government-made obstacles to success.

In our free enterprise system, access to private capital and investment is the lifeblood of our economy. With the threat of higher taxes on investment income and new financial regulations on community banks, it's no wonder that these small business owners aren't expanding or creating jobs. H.R. 2930 and H.R. 2940 are two bills that remove government barriers to economic growth by helping American businesses gain access to the vital investment capital they need to create jobs and grow the economy.

Mr. Speaker, together we can pass legislation that will unleash the energy and talents of the American people and restore the prosperity and promise of the United States of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

CIVILIAN SERVICE RECOGNITION ACT OF 2011

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2061) to authorize the presentation of a United States flag at the funeral of Federal civilian employees who are killed while performing official duties or because of their status as a Federal employee, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2061

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 ''Civilian Service Recognition Act of 2011''.

SEC. 2. PRESENTATION OF UNITED STATES FLAG ON BEHALF OF FEDERAL CIVILIAN EMPLOYEES WHO DIE OF INJURIES IN CONNECTION WITH THEIR EMPLOYMENT.

(a) PRESENTATION AUTHORIZED.—Upon receipt of a request under subsection (b), the head of an executive agency may pay the expenses incident to the presentation of a flag of the United States for an individual who—

(1) was an employee of the agency; and

(2) dies of injuries incurred in connection with such individual's employment with the Federal government.

(b) REQUEST FOR FLAG.—The head of an executive agency may furnish a flag for a deceased employee described in subsection (a) upon the request of—

(1) the employee's next of kin; or

(2) if no request is received from the next of kin, an individual other than the next of kin as determined by the Director of the Office of Personnel Management.

(c) CLASSIFIED INFORMATION.—The head of an executive agency may disclose information necessary to show that a deceased individual is an employee described in subsection (a) to the extent that such information is not classified and to the extent that such disclosure does not endanger the national security of the United States.

(d) EMPLOYEE NOTIFICATION OF FLAG BENEFIT.—The head of an executive agency shall provide appropriate notice to employees of the agency of the flag benefit provided for under this section.

(e) REGULATIONS.—The Director of the Office of Personnel Management, in coordination with the Secretary of Defense and the Secretary of Homeland Security, may prescribe regulations to implement this section. Any such regulations shall provide for the head of an executive agency to consider the conditions and circumstances surrounding the death of an employee and nature of the service of the employee.

(f) DEFINITIONS.—In this section:

(1) EMPLOYEE.—The term ''employee'' has the meaning given that term in section 2105 of title 5, United States Code, and includes—

(A) individuals who perform volunteer services at the discretion of the head of an executive agency; and

(B) an officer or employee of the United States Postal Service or of the Postal Regulatory Commission.

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given that term in section 105 of title 5, United States Code, and includes the United States Postal Service and the Postal Regulatory Commission.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

H.R. 2061, the Civilian Service Recognition Act of 2011, was introduced by the gentleman from New York (Mr. HANNA) on May 31 of this year. H.R. 2061 enjoys the support of 21 cosponsors on both sides of the aisle, and the Committee on Oversight and Government Reform reported this bill by voice vote on June 22 of this year.

Mr. Speaker, each year a small number of Federal civilian employees tragically lose their lives as a result of the duties they pledged to fulfill. Sadly, nearly 3,000 Federal civilian workers have died on the job since 1992.

Many civilian employees are veterans and thus are entitled to military

funeral honors. In addition, the Departments of Defense and Homeland Security have regulatory authority over burial benefits related to civilian employees who die as a result of their service with an Armed Force in a contingency operation.

The Federal Government lacks a policy authorizing the presentation of a United States flag to the families of Federal civilian employees serving elsewhere who lose their lives as a result of their employment. For those civilian employees who make the ultimate sacrifice in the course of service to their country, H.R. 2061 authorizes agencies to give a United States flag as a way for the Nation to formally express sympathy and gratitude.

H.R. 2061 is supported by a broad coalition of Federal employee organizations, including the Federal Law Enforcement Officers Association, American Foreign Service Association, American Federation of Government Employees, and the Service Executives Association.

I would like to thank Representatives HANNA and HINCHEY for bringing this important issue to the attention of this Congress. I would also like to thank the minority for working with us to bring this legislation to the floor for our consideration.

I reserve the balance of my time.

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

I rise in strong support of H.R. 2061, the Civilian Service Recognition Act of 2011, as amended. I commend Congressman HANNA for his work on this legislation. This bill would authorize Federal agencies to give the United States flag to the families of Federal civilian and postal employees who lose their lives as a result of a criminal act, an act of terrorism, a natural disaster, or in other special circumstances as determined by the President of the United States.

□ 1230

There are more than 2.8 million Federal civilian and postal employees. They are the men and women who gather and analyze the intelligence that enables us to track down terrorists such as Osama bin Laden. They are our postal employees who deliver the mail to us in the rain, snow, sleet, and hail. They are the scientists who conduct groundbreaking and lifesaving research like those that I've seen at NIH. They are the food and water inspectors who ensure the products we eat and drink will not harm us. They are the correctional officers guarding criminals and terrorists, and they are the nurses and doctors who care for us and our wounded veterans.

Many of these employees have high-risk, dangerous jobs, and they put their lives on the line every day in service to our Nation. They give their blood, sweat, and tears for our Nation. For example, approximately 44,000 Federal civilian employees have served alongside our uniformed servicemembers in Iraq, Afghanistan, and other combat-related zones over the last decade. They have performed jobs critical to our missions, and they have been essential to the successes our military has achieved.

Over the past two decades, some 3,000 Federal civilian employees have died on the job. The gift of a United States flag to the families of Federal employees who die in the line of duty is a small token of our very great appreciation for the ultimate sacrifice these public servants have made.

That said, Mr. Speaker, these same civil servants that we seek to honor here today are the very same people who are under attack from some quarters for simply doing their jobs. Recently, the majority of the House Oversight and Government Reform Committee recommended to the Joint Select Committee on Deficit Reduction that Federal workers who are already subject to a 2-year-long pay freeze also be subjected to the following: arbitrary 10 percent workforce reductions, an extended pay freeze through 2015, elimination of periodic step increases, increased employee contributions to the Civil Service Retirement System and the Federal Employees Retirement System, and a change in the formula used to calculate Federal pensions that may reduce the benefits provided to these many employees. In addition, our committee has scheduled H.R. 3029 for consideration tomorrow. This bill would require a 10 percent reduction in the Federal workforce by fiscal 2015.

It is appropriate and, in fact, past due that we pay tribute to our civil servants who make the ultimate sacrifice in service to our great Nation, and I am encouraged that the legislation before us enjoys bipartisan support. But I remind my colleagues that it doesn't make any sense to turn around and attack these same workers' livelihoods as we consider further deficit reductions. Such actions denigrate the value of the service these individuals provide to our great Nation, the very service we are honoring in H.R. 2061.

If Federal employees are worthy of receiving a gift of our Nation's flag upon their deaths, they are surely worthy of receiving their full pay and benefits for a lifetime of service to our country. Therefore, Mr. Speaker, I urge my colleagues to support this bill to honor Federal employees killed in the line of duty. I also urge my colleagues to join me in honoring all of our civil servants by opposing any further efforts to balance the Nation's budget on the backs of these dedicated men and women.

With that, I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to my distinguished colleague from the State of New York, the primary author of this bill, Mr. HANNA.

Mr. HANNA. I thank the gentleman from Utah for yielding.

Mr. Speaker, I rise today in proud support of H.R. 2061, the Civilian Service Recognition Act of 2011.

First, I would like to thank a few of my colleagues for helping to bring this bill to the floor. My friend and colleague, a New Yorker, MAURICE HINCHEY, one of the original cosponsors of this bill; my neighbor and friend in the Cannon Office Building and someone who has been supportive of this effort from the very beginning, DONNA EDWARDS, Representative from Maryland; Oversight and Government Reform Committee Chairman DARRELL ISSA and Ranking Member ELIJAH CUMMINGS for their support of this bill; and the entire staff of the Oversight and Government Reform Committee for its work on this bill.

In addition, Mr. Speaker, I'd like to thank the people who prompted the introduction of this bill: Grant Reeher and Terry Newell. These gentlemen penned a joint opinion editorial in The Syracuse Post-Standard suggesting that legislation be introduced to honor civil servants who are killed in the line of duty.

Mr. Speaker, this bill is quite simple. If a civilian Federal employee is killed on the job as a result of a criminal contact, terrorism, natural disaster, or an extraordinary event as determined by the President of the United States, their next of kin would be authorized to receive a United States flag. The Congressional Budget Office reports that this bill would have ''no significant effect on the Federal budget.''

Mr. Speaker, since 1992, almost 3,000 civilian Federal workers have been killed while on duty, both in places like Iraq, Afghanistan, and Haiti, but also in places like Oklahoma City and Austin, Texas. This legislation is widely supported by a variety of groups and individuals, including civil service organizations, former Homeland Security Secretary Michael Chertoff, and the American Legion.

I would like to note for the record that the American Legion raised some concerns about the language of this bill. I am personally very grateful and much appreciate their input. My office, as well as the committee staff, have worked with the Legion not only to listen to its concerns, but to act on them, which we have in this bill. In the end, we made a better bill, mindful of the real differences between military and civilian service, but also acceptable to all parties.

Legislative language aside, the spirit of this bill and the original intent of this bill is simple. If a Federal civil employee is killed in the line of duty, whether at home or abroad, their life will be honored by this Nation. Their family will be presented a flag on behalf of the United States of America.

More than 2 million Federal civilian employees work within our country and in countless overseas posts, many of them in dangerous jobs at Customs and Border Protection or the FBI, just to name a couple of examples. This is a

modest but significant benefit in honor of these dedicated individuals who sacrifice on our behalf.

Until the September 11 attacks, the largest terrorism attack on American soil took place in 1995—the Oklahoma City bombing. Employees showed up at the Federal building that day, like so many before, to go to work, to fulfill their oath of office and meet their obligations.

Ours is a grateful Nation, one that values the sacrifices made in honor of this country. Mr. Speaker, a life can never be repaid, but it can be honored. I urge all my colleagues to join me in support of H.R. 2061.

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

Again, I wholeheartedly support this legislation, and I think it's a very, very important piece of legislation. I want to congratulate Mr. HANNA and all the cosponsors for it.

At the same time, though, there is an old saying: Give me my flowers while I live. The fact is that there are many Federal employees, and we get the calls every day, when we sit in committees and we hear negative things said about Federal employees, and I think we forget that we take so many of them for granted. And so often when you take people for granted, you just assume that things are going to work and that agencies are going to work.

In my district, I have the Social Security Administration, and I get complaints from employees almost every day. As they see a downsizing, they see their workload increasing tremendously, but yet they are still being subject to pay freezes and things of this nature.

So I think, again, this legislation is extremely important; but, again, I emphasize that I think it's so important that we not place these Federal employees in positions where they are constantly told that they're not doing enough work or they are not needed in many instances and need to be downsized, need to have their pay reduced and need to have the increases to their contribution to the retirement system.

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

□ 1240

Mr. CHAFFETZ. Mr. Speaker, I yield myself such time as I may consume to just merely point out that since Barack Obama took office until now, there are more than 141,000 additional Federal workers on the payroll. So while there has been some discussion about not appreciating Federal workers, I fully appreciate the Federal workers—they're patriotic people, they work hard, they do a good job. But I do think we have an expectation that people do a good day's work for a good salary. And there is nothing that has been brought up today to suggest we're doing anything other than recognizing those who are paying the ultimate sacrifice. We have been increasing the number of Federal employees; some of us are concerned about that. That is a discussion for another day.

At this time, Mr. Speaker, I would yield such time as he may consume to my distinguished colleague from Virginia (Mr. WOLF), who has been very active on this issue and cares passionately about this issue.

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

Mr. WOLF. I thank the chairman for recognizing me. I appreciate it very much.

I rise in strong support of the bill. It's very appropriate. The first person killed in Afghanistan was a civilian employee from my congressional district, a CIA employee, Michael Spann. I went to the funeral out at Arlington Cemetery. He was the very first person, and he was a civilian and gave his life there.

I also, about 7 or 8 months ago, went out to the agency where they had a memorial service—the President was there, as was Director Panetta—to remember the seven who were killed at that base there. You could see the young families and just the pain and the agony and the suffering. Also, the DEA; we lost three DEA people in Afghanistan fighting the drug wars. And you can go on, the Border Patrol and all the others. So I want to thank Mr. HANNA for the bill, thank the chairman for it, and thank the ranking member. This is important, I think, to do.

I want to thank the gentleman from New York, Mr. HANNA, for introducing this legislation, which authorizes the presentation of the United States flag to federal employees who have died in the line of duty.

According to the Office of Personnel Management, since 1992, nearly 3,000 federal employees have paid the ultimate price while serving their country.

Federal employees work side-by-side on the front lines with our military personnel to carry out the Global War on Terror in locations such as Iraq and Afghanistan. They put their lives at risk daily to defend our national interests.

The first American killed in Afghanistan, Mike Spann, was a CIA agent and a constituent from my congressional district. Imagine the dangers a CIA or State Department employee or DEA agent or an FBI agent working in Afghanistan with the U.S. military must encounter.

When I traveled to Afghanistan, I visited with FBI agents serving side-by-side with our military in the fight against the Taliban. DEA agents are also in Afghanistan and working to eradicate the poppy, which the Taliban and al Qaeda use as a primary source of funding in their operations. Last year, three DEA agents were killed in Afghanistan.

A year ago January, I attended funerals for some of the seven CIA agents who were killed by a Taliban suicide bomber at Forward Operative Base Chapman near the Afghanistan-Pakistan border.

Federal employees also put their lives on the line here at home. The Border Patrol agent shot and killed in Arizona this past December who was working to stop the flow of illegal immigrants across our southern border was a federal employee.

The three Immigration and Customs Enforcement agents who were attacked, including one who was killed, outside of Mexico City were federal employees.

Each federal employee repeats the following oath: "I, [name], do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

We fly the flag to demonstrate our support for the values and principals found in the Constitution and expressed by this oath. I believe it is appropriate to allow for the presentation of the flag if an employee is killed because they represent this oath, which is why I am a proud cosponsor of this measure.

This legislation recognizes all unsung federal employees who work to ensure that our government is running as efficiently and effectively as possible to provide the services that taxpayers expect. I urge all members to support H.R. 2061.

Mr. CUMMINGS. Mr. Speaker, I am very pleased to yield 4 minutes to the gentlewoman from Maryland, Ms. DONNA EDWARDS.

Ms. EDWARDS. I thank my colleague from Maryland for yielding.

I want to congratulate Congressman HANNA. It's been a privilege to be able to work with Mr. HANNA on his efforts in resolving some issues that have held up the passage of H.R. 2061—and I'm glad that we're here today—the Civilian Service Recognition Act.

When Federal civilian servants take the oath of office, they solemnly swear to ''defend the Constitution of the United States from enemies, both foreign and domestic.'' This legislation would authorize the head of an executive agency to give a U.S. flag to the next of kin of a deceased employee who dies at home or abroad of injuries incurred in connection with his or her employment with the government. The bill specifies that the employee would have to die due to injuries sustained with a criminal act, an act of terrorism, a natural disaster, or other circumstance as determined by the President.

The legislation is a well-deserved reminder of the important work done by our civilian employees, particularly when Federal employees have been so criticized and placed on the chopping block during the recent debates. H.R. 2061 is a modest but significant show of gratitude to our Federal civilian employees and the families of deceased public servants for their duty to the United States Government.

According to the Office of Personnel Management, over 100,000 civilian Federal employees have served in Afghanistan and Iraq alongside our military forces. As the daughter of a career servicemember, I know well the numerous sacrifices that members of our armed services, public servants, and their families make, and this doesn't in any way diminish the service that they

engage in every day. What it says, though, is that for those who serve in harm's way and who lose their lives, that we value their service as well.

And very similar to members of the Armed Forces, members of the Federal civilian workforce often risk their lives to carry out official duties critical to the Federal Government's foreign and domestic missions. OPM reports that more than 3,000 Federal employees have been killed in the line of duty since 1992.

In 2008, as the gentleman from Virginia mentioned, an FBI special agent was tragically shot and killed during a joint DEA, FBI, and local police department raid. This special agent began his law enforcement career with the Ocean City, Maryland, Police Department and later served with the Baltimore, Maryland, Police Department. Another brave Marylander, a DEA special agent who graduated from the University of Maryland, was killed in 2009 when the U.S. military helicopter he was in crashed while returning from a joint counternarcotics mission in western Afghanistan.

I want to recognize the dedication of these civil servants. This is a long-overdue recognition to the 146,000 Federal employees living in Maryland's Fourth Congressional District, many of whom place their lives on the line every day. I know that when I had the privilege of joining our servicemembers and our civilians in Afghanistan, I found many employed with the Department of Agriculture, Homeland Security, the IRS—virtually every agency of the United States serving in that dangerous and hostile theater.

Mr. Speaker, I want to thank Congressman HANNA and the chair and ranking member of the Oversight and Government Reform Committee for their work on this bill. I commend passage of this legislation and urge all my colleagues to vote in favor of H.R. 2061, the Civilian Service Recognition Act.

Mr. CUMMINGS. Mr. Speaker, in closing, I just wanted to let the gentleman know that he mentioned that there had been an increase in Federal employees. There have been increases in DOD, DHS, and VA, but all the other agencies over the 10 years have been decreasing.

With that, Mr. Speaker, I would urge passage of this legislation, and I yield back the balance of my time.

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

While the gentleman from Maryland and I may disagree on the statistics of the number of Federal employees, I think we can be united in supporting this bill, H.R. 2061.

There are so many good people who are doing the right thing, they're working hard, they're patriotic, and somehow, some way, unfortunately they pay the ultimate sacrifice.

We simply urge our colleagues on both sides of the aisle to pass this. It may seem trivial to some, but I guarantee you that to the families who have suffered a loss of such consequence, of such magnitude, a flag presented from the United States of America is appropriate, it's something we should do. I congratulate Mr. HANNA for bringing this bill forward, and I encourage all of my colleagues to pass it.

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

Mr. HANNA. Mr. Speaker, I rise today in proud support of H.R. 2061, the Civilian Service Recognition Act of 2011.

First, I need to thank several of my colleagues for their help in bringing this bill to the floor:

My friend and colleague to the south—and—the original co-sponsor of this bill: MAURICE HINCHEY.

My neighbor in the Cannon House Office Building and someone who's been supportive of this effort from the beginning: DONNA EDWARDS, representative from Maryland.

Oversight and Government Reform Committee Chairman DARRELL ISSA and Ranking Member ELIJAH CUMMINGS for their support of this bill.

The entire staff of the Oversight and Government Reform Committee for its work on this bill.

Mr. Speaker, I need to thank the people who prompted the introduction of this bill: Grant Reecher and Terry Newell.

These gentlemen penned a joint opinion-editorial in The Syracuse Post-Standard, suggesting legislation be introduced to honor civil servants who are killed in the line of duty.

Mr. Speaker, this bill is simple. If a civilian federal employee is killed on the job as a result of a criminal act, terrorism, natural disaster, or an extraordinary event as determined by the President, their next of kin would be authorized to receive a United States flag.

The Congressional Budget Office reports that this bill would have "no significant effect on the federal budget."

Mr. Speaker, since 1992, almost 3,000 civilian federal workers have been killed while on duty, both in places like Iraq, Afghanistan, and Haiti—but also in places like Oklahoma City, and Austin, Texas.

This legislation is widely supported by a wide array of groups and individuals including civil service organizations, former Homeland Security Secretary Michael Chertoff, and the American Legion.

I would note for the record that the American Legion raised some concerns about the language of the bill. I personally very much appreciated the input. My office, as well as Committee staff, worked with the Legion to not only listen to its concerns, but act on them.

In the end we made this bill better. Mindful of the real differences between military and civilian service, but acceptable to all parties involved.

Legislative language aside—the spirit of this bill—and the original intent of this bill—is simple: If a federal civilian employee is killed in the line of duty whether at home or abroad, their life will be honored by this nation. Their family will be presented a flag on behalf of the United States of America.

More than 2 million federal civilian employees work within our country and in countless overseas posts, many of them in dangerous jobs at Customs and Border Protection or the FBI, just to name a couple of examples.

This is a modest, but significant benefit in honor of these dedicated individuals who sacrificed on our behalf.

Until the September 11th attacks, the largest terrorism attack on American soil took place in 1995—the Oklahoma City bombing. Employees showed up at the federal building that day—like so many before—to go to work. To fulfill their oath of service to the U.S. Government.

Ours is a grateful nation, one that values the sacrifices made in honor of this country.

A life can never be repaid, but it can be honored.

Mr. Speaker, I urge all of my colleagues to join me in supporting H.R. 2061.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 2061, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CUMMINGS. 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.

□ 1250

INCREASING SHAREHOLDER THRESHOLD FOR SEC REGISTRATION

Mr. SCHWEIKERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1965) to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1965

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

SECTION 1. SHAREHOLDER REGISTRATION THRESHOLD.

(a) AMENDMENTS TO SECTION 12 OF THE SECURITIES EXCHANGE ACT OF 1934.—Section 12(g) of the Securities Exchange Act of 1934 (15 U.S.C. 78*l* (g)) is amended—

(1) in paragraph (1)—

(A) by striking "$1,000,000" both places it appears and inserting "$10,000,000";

(B) in subparagraph (A), by striking "; and" and inserting a semicolon;

(C) in subparagraph (B), by striking the comma at the end and inserting "; and"; and

(D) by inserting after subparagraph (B) the following:

"(C) in the case of an issuer that is a bank, as such term is defined in section 3(a)(6) of this title, or a bank holding company, as such term is defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841), not later than 120 days after the last day of its first fiscal year ended after the effective date of this subsection, on which the issuer has total assets exceeding $10,000,000 and a class of equity security (other than an exempted security) held of record by 2,000 or more persons,"; and

(2) in paragraph (4), by striking "three hundred" and inserting "300 persons, or, in the case of a bank, as such term is defined in section 3(a)(6), or a bank holding company, as such term is defined in section (2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841), 1,200".

(b) AMENDMENTS TO SECTION 15 OF THE SECURITIES EXCHANGE ACT OF 1934.—Section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(d)) is amended, in the third sentence, by striking ''three hundred'' and inserting ''300 persons, or, in the case of bank, as such term is defined in section 3(a)(6), or a bank holding company, as such term is defined in section (2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841), 1,200''.

SEC. 2. STUDY AND REPORT ON REGISTRATION THRESHOLDS.

(a) STUDY.—

(1) ANALYSIS REQUIRED.—The Chief Economist and Director of the Division of Corporation Finance of the Commission shall jointly conduct a study, including a cost-benefit analysis, of shareholder registration thresholds.

(2) COSTS AND BENEFITS.—The cost-benefit analysis under paragraph (1) shall take into account—

(A) the incremental costs and benefits to investors of the increased disclosure that results from registration;

(B) the incremental costs and benefits to issuers associated with registration and reporting requirements; and

(C) the incremental administrative costs to the Commission associated with different thresholds.

(3) THRESHOLDS.—The cost-benefit analysis under paragraph (1) shall evaluate whether it is advisable to—

(A) increase the asset threshold;

(B) index the asset threshold to a measure of inflation;

(C) increase the shareholder threshold;

(D) change the shareholder threshold to be based on the number of beneficial owners; and

(E) create new thresholds based on other criteria.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Chief Economist and the Director of the Division of Corporation Finance of the Commission shall jointly submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that includes—

(1) the findings of the study required under subsection (a); and

(2) recommendations for statutory changes to improve the shareholder registration thresholds.

SEC. 3. RULEMAKING.

Not later than one year after the date of enactment of this Act, the Commission shall issue final regulations to implement this Act and the amendments made by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. SCHWEIKERT) and the gentleman from Connecticut (Mr. HIMES) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. SCHWEIKERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to add extraneous material on this bill.

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

There was no objection.

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

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

If we've learned one thing in the last 5 years, it is that the body of financial regulation which keeps us, as a people, safe must not be static, must not be dead, but, rather, a living thing that evolves and changes, not just to make sure that innovations and new products and new businesses don't get us into the kinds of troubles that we've experienced in the last 5 years, but also to make sure that the financial services industry remains entrepreneurial, that people who want to start small banks, small asset managers, small businesses of any kind have an opportunity to get started, to raise capital and to do well.

The securities laws that were established in 1933 and 1934 need to evolve and adapt to reflect the conditions in today's market. This is why I've introduced H.R. 1965. This bill would allow banks and bank holding companies to remain private to a point at which they believe it is in their interest to go public, undertake the fairly lengthy and complicated process of public registration at a moment when it makes sense for them to go into the public markets.

The original securities laws stipulated that banks would have to register with the SEC when they had more than 500 shareholders. Our small banks, our community banks experience difficulties because as original investors move on or pass on and leave shares to their beneficiaries, very rapidly banks reach that 500 shareholder number and are required to undertake the very complicated, up-front processes, but also the ongoing reporting requirements associated with public registration.

H.R. 1965 would very simply raise that threshold from 500 shareholders to 2,000 shareholders, again allowing these small banks to pick the optimal moment at which they go public, to allow them to continue to raise money in the private markets from private investors until such point that it makes sense for them to register and go public.

Now, it might be asked, is this prudent? And the answer to that question, of course, is that the banks and the bank holding companies are very heavily regulated by their prudential regulators. From the moment they are chartered, they are overseen by State and Federal entities that are designed to keep them from any sort of fraud from imprudent activities, and so this is an industry that is already heavily regulated, even for these companies who remain private.

I'd like to note that this bill provides relief to small banks by recognizing that unique characteristic, that they are regulated, and that they should continue to have access to the capital sources that got them started until they choose to go public.

I will note that this bill passed with broad bipartisan support in both subcommittee and committee, and I'd like to close my statement by thanking Chairman BACHUS and Ranking Member FRANK, as well as subcommittee Chair GARRETT and Ranking Member WATERS, for their hard work and cooperation in putting this bill together.

With that, I yield 4 minutes to the minority whip, Mr. HOYER of Maryland.

Mr. HOYER. I thank the gentleman for yielding, and I congratulate him for his leadership on this effort.

I thank my friend, Chairman BACHUS, for his facilitating the passage of this legislation.

Community banks, Mr. Speaker, are the life blood of our local economies. They are locally owned and operated. They know their local businesses and residents intimately, and lend to them, not just because it's a sound business decision, but also because it benefits the greater community.

With the credit and lending crisis we have experienced over the past couple of years, the small banks that operate in our local communities face numerous challenges just to stay afloat. These are the banks we need to see lending to small businesses and homeowners, but they are hamstrung in their attempt to raise capital by outdated SEC registration requirements. This one is over half a century old.

Under the nearly 50-year-old 500 investor exemption rule, banks have to register with the SEC if they have more than 500 shareholders. The gentleman from Connecticut (Mr. HIMES), whose bill this is, explained why that is difficult and why it changes as people who have stock die and leave their stock to more people and to heirs. Banks that have exceeded this low threshold must provide extensive and costly financial disclosure under our Federal securities laws.

Now, over the years, we have upped the threshold in terms of dollars that the bank assets have, but we have not affected the number of shareholders. To reverse this registration, they are then forced to lower their number of shareholders by buying back stock which, all too often, means losing local shareholders who keep these banks connected with their local communities.

The rationale behind SEC registration rules generally is to provide effective and timely disclosure to protect investors, which of course all of us support. However, as Maryland's Banking Supervisor Mark Kaufman notes, the current rule adds to banks' cost with little associated benefits, especially considering that, unlike most private companies, banks file public disclosure already on a quarterly basis and do so on a more timely basis than public companies, as the gentleman from Connecticut pointed out in his remarks.

□ 1300

The American Bankers Association, the Independent Community Bankers of America, State groups like the Maryland Bankers Association and small banks throughout Maryland and the Nation support raising this threshold to 2,000, which is what this bipartisan legislation would do. This will lift a significant regulatory burden on

our community banks without any offsetting price in regulatory oversight and make it easier for them to raise capital so they can continue to lend and support job growth in our communities.

I strongly urge my colleagues on both sides of the aisle to support H.R. 1965.

I note that my friend from Arkansas (Mr. WOMACK) is also on the floor. I want to thank him for his leadership in this effort as well.

Mr. HIMES. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan (Mr. PETERS) be designated to control the balance of my time.

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

There was no objection.

The SPEAKER pro tempore. Without objection, the gentleman from Alabama will control the 20 minutes for the majority.

There was no objection.

Mr. BACHUS. Thank you, Mr. Speaker.

At this time I would like to yield 2 minutes to the gentleman from Arkansas (Mr. WOMACK), an original cosponsor of the legislation.

Mr. WOMACK. I thank the distinguished chairman for the time this afternoon, and I'd also like to offer my thanks and appreciation to my friend from Connecticut for his leadership on the issue. I am indeed an original cosponsor.

The unemployment rate in our Nation is still in excess of 9 percent. Millions of Americans are out of work. I just recently came back from my district where we had a job fair, and of the 300 or 400 jobs that were allegedly available on that particular day, there were several times more than that looking. It is a painful reminder to me that job creation is still critical to our country.

I'm also reminded as to how important it is that this job creation is linked to access to capital by businesses large and small. The slow pace of the recovery, the burdens of archaic and oftentimes unnecessary regulation have fallen disproportionately on small businesses, and particularly community banks.

As was commented on just a moment ago by the distinguished minority whip, the community banks are the lifeblood of our communities. They help a family purchase a home. They allow that mechanic the necessary capital to open his first shop. They help a chef open her first restaurant. Small businesses rely on these banks to give them a chance, a chance to take advantage of the American Dream.

Today, this Chamber has the opportunity to make it easier for community banks and small businesses to operate by removing a barrier to raising capital. So today we have the opportunity to pass H.R. 1965, and I strongly encourage my colleagues to support it. Your support will result in the fact that community banks will have the flexibility they need to raise capital without having to comply with onerous SEC regulations intended for larger banks. They will use this money in my district, the Third District of Arkansas, to create jobs, and that will be good for my district, it will be good for our State, and it will be good for America.

Again, my thanks for the time given to me by leadership and to my friend from Connecticut, and I strongly encourage support of H.R. 1965.

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

Mr. BACHUS. Mr. Speaker, at this time I would like to yield 1½ minutes to the subcommittee chair, Mrs. CAPITO from West Virginia, to speak in favor of the bill.

Mrs. CAPITO. I thank the chairman of the committee, for recognizing me.

I would like to speak in support of the gentleman from Connecticut's legislation, H.R. 1965, which would amend the securities law to establish certain thresholds for shareholder registration.

We all recognize that capital is tight for lenders and for businesses, and this bill, along with several others that were passed out of the Financial Services Committee, will address the issue of capital formation and allow institutions much needed resources to stimulate our economy. More capital equals more jobs, equals more people back to work, equals a growing economy.

Cost of public companies to register with the SEC can be very, very burdensome, and this cost is augmented when it's applied to smaller institutions. They don't have the resources to be able to meet the demands that larger companies do. So this bill would allow banks and bank holding companies access to more capital for that very precious and much needed impetus of job creation.

By raising the threshold from 500 to 2,000, it would permit easier deregistration, and the expenses that are tied up with registering would then go to stimulating our economy. More lending, more lending for a florist, a restaurant. I noticed in Charleston, a long-time restaurant that had been out of business was reopened under new ownership just this morning. And that's good news, and that's the kind of capital that small businesses need to be able to create jobs and stimulate the economy.

I believe this is a good piece of legislation whose effect on the economy will far outweigh any risks that it could propose, and I heartily endorse the gentleman from Connecticut's legislation, H.R. 1965.

Mr. PETERS. Mr. Speaker, I currently do not have additional speakers; so I reserve the balance of my time.

Mr. BACHUS. I thank the gentleman from Michigan.

At this time I would like to yield 1½ minutes to the gentleman from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today in support of H.R. 1965.

We missed that number by one. It should be 1964, because 1964 was the last time that they actually updated these registration numbers. That is a very long time. I can tell you, at age 42, it was a number of years before I was even born the last time that this happened, and it's high time that it does happen.

I can also tell you, Mr. Speaker, that here with the Republican Americans' Job Creators Plan, the first thing on that list is: Empower small businesses and reduce government barriers to job creation.

And I really hope that this bipartisan bill doesn't become part of that lost 15 over in the Senate. This is a very proactive, bipartisan step that this body is taking that as it goes over across to that next Chamber needs to be addressed. We need to do this because we must modernize; we must update; we must do these things to remain competitive on a world market.

Mr. Speaker, I appreciate the opportunity and am pleased that I could rise in support of that bill.

Mr. BACHUS. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. SCHWEIKERT).

Mr. SCHWEIKERT. First, I would like to offer a thank you to my chairman, Mr. BACHUS, and also to the sponsor of the bill, my friend from Connecticut.

H.R. 1965 actually has an opportunity here to actually solve some things that have been of frustration, and learning some of the story was fascinating.

In Arizona, many of our community banks are quite new, but across the country you hear the story of community banks that have been there for many, many, many years. And we had one come testify and was telling us the story off to the side that most of its shareholders actually go back to returning soldiers of World War II, and they've literally had the same families, the same family members holding these shares for 50, 60 years. It causes one little technical problem: They've literally been up against their 500 shareholders for all of those years. So their ability to access new capital has been limited by these rules.

So this is a classic case of, if we want our banking system, particularly our community banks, our local lenders, to be capitalized, which they're typically capitalized with local investments, what a terrific piece of legislation. And it's one of those moments where you stand here and you look across the aisle and you find yourself smiling, saying, This is terrific. We're doing something bipartisan. We're doing something that actually produces capital in our Main Street of our communities, particularly for those lenders that often fund our local neighborhood businesses. We're heading in the right direction here.

□ 1310

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

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

About 2 years ago, the gentleman from Michigan (Mr. PETERS) and I were in Kabul and Kandahar together on a trip.

I remember talking to my Democratic colleague, saying that there must be things that Republicans and Democrats can work together on to solve. We were obviously in a country that was torn apart by differences, but we both had something in common—we were concerned about our constituents; we were concerned about unemployment; and we were concerned about jobs. I think that's true of every Member in this body.

We know that the path to prosperity is jobs and that, if Americans are working, if they're earning, they feel better about themselves and that, if they're losing their jobs, then it's going to be not only a problem for them and their families but for their communities and for their country.

I am happy to report—and I think it's fitting that the gentleman from Michigan would be across the aisle from me managing the time for the minority—that here we are moving four pieces of legislation today, tomorrow, and on Friday, legislation which will create jobs and will do so without government expense. In fact, they'll do so with some marginal savings to the government but with a great savings to those businesses.

This morning—and I don't know that it was a coincidence—the job figures came out. Large corporations lost 1,000 employees last month, but our middle-sized and small businesses created 108,000 jobs. Now, those aren't enough jobs; those aren't enough jobs for the people graduating and going into the workforce, but that's where job creation is coming from in the economy now—from small- and middle-sized businesses, those with under 500 employees particularly, and from that midrange of 50 to 500 employees.

This bill that the gentleman from Connecticut (Mr. HIMES) has brought forward has won bipartisan support because it actually will create jobs in those small community banks and credit unions because it will make their cost of capital less. In a recent survey, 70 percent of small- and middle-sized businesses, those with 500 or fewer employees, said if we had more capital, if we had more funding, we would hire. This is 70 percent. Only 14 percent said they were going to hire. The difference in that number is that the others weren't sure that they could get capital. There are two ways that you obtain capital to create jobs. One is you go and borrow it from a bank, or from an insurance company in some cases, or from someone else. But there is another way, which is by someone willing to invest in your company.

As a small boy, I can remember my father had a business, and before that, he'd invested with another man in a business. I think that one of the American Dreams is not only owning a house—and that's still an American Dream to own your own home even in the circumstances we've been through—but either to have your own business or to be able to invest in somebody else's business.

The gentleman from Connecticut's legislation will allow that threshold of people who want to invest in a community-based financial institution, and it will encourage those community banks to allow more shareholders, more people, to participate. Yes, they will be participating in the risk, but they'll also be participating in the profit, which is really the American system. When you invest, you take risks, but if things are successful, you profit. That's where the risks and the profits ought to be taken. They shouldn't be taken by the taxpayers involuntarily, and they shouldn't be taken by the government. The government shouldn't take the taxpayers' money and invest in business. It is those taxpayers—our constituents, our citizens—who ought to make the decisions on what companies they want to invest in. We all know community banks are struggling today. It will allow them to attract investors, people who say, ''I want to invest in your bank.'' They may be people who do business with the banks, and will probably be people who live in the community.

This bill will be the first of four bills that we bring forward, and they are going to be successful. They're going to move from the House to the Senate, I'll predict this week, because, as the minority whip, the gentleman from Maryland, said, there is agreement that this is the right thing to do and that we do have an obligation not only to oppose some things but to also be for positive legislation. The House this week will be for something. It will be for job creation. It will be for allowing people to invest. It will be enabling companies to attract that capital and hire people. So we can feel very good about ourselves this week, and it can start with this bill.

This is not a minor piece of legislation, but it's on suspension because it enjoys widespread support, as does the bill tomorrow. As for the two in the following days, we've worked out the differences. The gentleman from Colorado (Mr. PERLMUTTER) had a concern about a bill later this week. He felt like it didn't have enough investor protection. We've addressed that concern and have added his suggestion to the bill.

All four of these bills that will move this week are bipartisan bills. They're not Republican bills, they're not Democratic bills. They're bipartisan bills. I commend the minority whip for speaking out for these bills—I think that bodes well—and I hope the Senate was listening. I also appreciate the gentleman from Connecticut for a bill that really is long overdue. It will immediately allow our community banks to invest and not be dependent on the government for help.

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

Mr. PETERS. Mr. Speaker, I just want to join in and thank the gentleman from Connecticut for bringing this very commonsense piece of legislation before us. It is essential to bringing capital into our local communities and creating jobs, as Chairman BACHUS mentioned. I also want to thank Chairman BACHUS for his leadership on this issue.

I remember very fondly our trip to Afghanistan. It is nice that we have found common ground and that we are working today in a bipartisan fashion to make sure that our communities are strong and are vibrant and have the tools necessary to create additional jobs.

So, with that, I would certainly encourage my colleagues to support this important piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. SCHWEIKERT) that the House suspend the rules and pass the bill, H.R. 1965, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BACHUS. 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.

□ 1320

SMALL COMPANY CAPITAL FORMATION ACT OF 2011

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1070) to amend the Securities Act of 1933 to authorize the Securities and Exchange Commission to exempt a certain class of securities from such Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1070

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 ''Small Company Capital Formation Act of 2011''.

SEC. 2. AUTHORITY TO EXEMPT CERTAIN SECURITIES.

(a) IN GENERAL.—Section 3(b) of the Securities Act of 1933 (15 U.S.C. 77c(b)) is amended—

(1) by striking ''(b) The Commission'' and inserting the following:

''(b) ADDITIONAL EXEMPTIONS.—

''(1) SMALL ISSUES EXEMPTIVE AUTHORITY.—The Commission''; and

(2) by adding at the end the following:

''(2) ADDITIONAL ISSUES.—The Commission shall by rule or regulation add a class of securities to the securities exempted pursuant

to this section in accordance with the following terms and conditions:

''(A) The aggregate offering amount of all securities offered and sold within the prior 12-month period in reliance on the exemption added in accordance with this paragraph shall not exceed $50,000,000.

''(B) The securities may be offered and sold publicly.

''(C) The securities shall not be restricted securities within the meaning of the Federal securities laws and the regulations promulgated thereunder.

''(D) The civil liability provision in section 12(a)(2) shall apply to any person offering or selling such securities.

''(E) The issuer may solicit interest in the offering prior to filing any offering statement, on such terms and conditions as the Commission may prescribe in the public interest or for the protection of investors.

''(F) The Commission shall require the issuer to file audited financial statements with the Commission annually.

''(G) Such other terms, conditions, or requirements as the Commission may determine necessary in the public interest and for the protection of investors, which may include—

''(i) a requirement that the issuer prepare and electronically file with the Commission and distribute to prospective investors an offering statement, and any related documents, in such form and with such content as prescribed by the Commission, including audited financial statements, a description of the issuer's business operations, its financial condition, its corporate governance principles, its use of investor funds, and other appropriate matters; and

''(ii) disqualification provisions under which the exemption shall not be available to the issuer or its predecessors, affiliates, officers, directors, underwriters, or other related persons, which shall be substantially similar to the disqualification provisions contained in the regulations adopted in accordance with section 926 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 77d note).

''(3) LIMITATION.—Only the following types of securities may be exempted under a rule or regulation adopted pursuant to paragraph (2): equity securities, debt securities, and debt securities convertible or exchangeable to equity interests, including any guarantees of such securities.

''(4) PERIODIC DISCLOSURES.—Upon such terms and conditions as the Commission determines necessary in the public interest and for the protection of investors, the Commission by rule or regulation may require an issuer of a class of securities exempted under paragraph (2) to make available to investors and file with the Commission periodic disclosures regarding the issuer, its business operations, its financial condition, its corporate governance principles, its use of investor funds, and other appropriate matters, and also may provide for the suspension and termination of such a requirement with respect to that issuer.

''(5) ADJUSTMENT.—Not later than 2 years after the date of enactment of the Small Company Capital Formation Act of 2011 and every 2 years thereafter, the Commission shall review the offering amount limitation described in paragraph (2)(A) and shall increase such amount as the Commission determines appropriate. If the Commission determines not to increase such amount, it shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on its reasons for not increasing the amount.''.

(b) TREATMENT AS COVERED SECURITIES FOR PURPOSES OF NSMIA.—Section 18(b)(4) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)) is amended—

(1) in subparagraph (C), by striking ''; or'' at the end and inserting a semicolon; and

(2) by redesignating subparagraph (D) as subparagraph (E), and inserting after subparagraph (C) the following:

''(D) a rule or regulation adopted pursuant to section 3(b)(2) and such security is—

''(i) offered or sold on a national securities exchange; or

''(ii) offered or sold to a qualified purchaser, as defined by the Commission pursuant to paragraph (3) with respect to that purchase or sale.''.

(c) CONFORMING AMENDMENT.—Section 4(5) of the Securities Act of 1933 is amended by striking ''section 3(b)'' and inserting ''section 3(b)(1)''.

SEC. 3. STUDY ON THE IMPACT OF STATE BLUE SKY LAWS ON REGULATION A OFFERINGS.

The Comptroller General shall conduct a study on the impact of State laws regulating securities offerings, or ''Blue Sky laws'', on offerings made under Regulation A (17 C.F.R. 230.251 et seq.). The Comptroller General shall transmit a report on the findings of the study to the Committee on Financial Services of the House of Representatives, and the Committee on Banking, Housing, and Urban Affairs of the Senate not later than 3 months after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentleman from Michigan (Mr. PETERS) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to add extraneous materials on the bill.

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

There was no objection.

Mr. BACHUS. At this time I would like to yield such time as he may consume to the gentleman from Arizona (Mr. SCHWEIKERT), the main sponsor of this bill.

Mr. SCHWEIKERT. Mr. Speaker, first, I would like to start this with a heartfelt thank you to both SPENCER BACHUS of Alabama, the chairman of the Financial Services Committee, for both his kindness to me as a freshman and also for the guidance he has provided me, and to the gentlewoman from California, who I hope will speak next, who partially helped spearhead this idea and helped us move it forward.

One of the reasons I stand here right now with these boards is just to sort of help get through the concept of this piece of legislation, H.R. 1070. So often around here, we refer to it as the reg A bill. But what does that mean to people? Well, to try to make it as simple as possible, it is when a company has an opportunity to do a filing with the Securities and Exchange Commission for a simplified process to go public. The problem is, in today's world, that's limited to $5 million. Well, no one is going public at $5 million.

And we can actually see some of our history of this. This was actually first done in 1933 when at that time, in the Securities Exchange Act, it was understood that there needed to be a path to go public. Well, at that time, it was $100,000, and I think 1992 is when it was moved up to $5 million.

Well, in 19 years, the world has changed a lot. But one of the changes that I consider almost a crisis is the number of our companies that aren't going public anymore. And you're going to see on a couple of these boards here that the fact of the matter is we actually have fewer, substantially fewer companies that are publicly traded today than we did even a decade ago.

Now, the first slide here is somewhat simple. It is just sort of trying to demonstrate how many years we have been sitting here at this $5 million level, and it's been 19 years. But as we go on to the next board—and I know this is a little busy to try to read. The staff got a little colorful on this one. But what we were trying to point out is that the number of IPOs that are less than $50 million today are almost nothing.

My understanding is last year we had only three companies—only three companies in the entire country take a look at filing in that $5 million and under space. And if you actually look from 1995 to 2004, some of the latest data I was able to find from that entire time frame, I think there were only 78 companies that actually pursued this process. Well, in a country our size, this is a crisis, particularly if we're looking for that path of equity, that path of financing, that path of raising capital for these growing companies. This is one of the reasons we stand here with this reg A bill, H.R. 1070.

Let's go on to this next board. And I know this is a little busy. But this is also to try to make the point of what's going on from a competitive standpoint when you look around the world. All those lines, those are other companies that are listing on exchanges, that are becoming publicly traded, that are reaching out to the world and raising capital. Well, you will happen to notice a small problem: the line with the dots, that's us. That's our country. We actually are going in the other direction.

If I remember my numbers here, we actually today have 5,091 publicly traded companies on the big exchanges. So we've got 5,000-some today. In 1997, we had 8,823. Does anyone see the real problem there? Literally in a little over a decade, we've gone down dramatically in the number of publicly listed companies. And my great hope here is, by raising this limit from the $5 million up to $50 million—which $50 million is chosen for quite a reason. That is the minimum threshold for a couple of the large exchanges to be publicly traded. And that's why we're doing this, because we're trying to create jobs, we're trying to move equity, and we're trying to be competitive around the world.

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

The American people need to see our Congress taking meaningful action to help grow our economy. America is tired of too much partisanship out of Washington, and they want to see Republicans and Democrats working together on bipartisan solutions to create jobs and grow American businesses. As Chairman BACHUS said earlier today, this is exactly what we are doing.

But before I go any further, I would like to thank the gentleman from Arizona (Mr. SCHWEIKERT) for introducing H.R. 1070, the Small Company Capital Formation Act, and I would also like to thank the gentleman from Arizona for working across the aisle to ensure that the concerns of both Republicans and Democrats were met in this very commonsense bill.

Mr. Speaker, this bill would permit a small company to raise up to $50 million through a security offering process that balances both streamlined registration with adequate investor protections. As of right now, the current exemption under the SEC's regulation A is little used due to the small size of issuances permitted. As a result, there were only three offerings last year.

The current offering limit of $5 million hasn't been raised since 1992, almost 20 years; and it's long past time for us to do something about it. In the last Congress, Democrats sent a letter to the SEC recommending that it raise the exemption limits. Today we can fix this problem by passing this bill.

Additionally, H.R. 1070 would also provide small and medium companies with the ability to offer securities of up to $50 million publicly without the full cost of a registered offering, potentially expanding their access to capital beyond private offerings that many use.

In the spirit of bipartisanship, Democrats also added important investor protections to this bill, such as requiring companies to provide investors with audited financial statements annually. In addition, Democrats offered investors legal recourse for misstatements companies make in their prospectus documents in order to prevent potential abuses.

Finally, the gentleman from Arizona has also worked with Democrats on the remaining issue of contention, and that was the preemption of State law. The gentleman from Arizona's substitute amendment to H.R. 1070 removes the exemption from State level review that was previously provided to an issuer using a broker-dealer to distribute and issue. Regulation A securities can be high-risk offerings that may also be susceptible to fraud, making protections provided by the State regulators an essential future.

Mr. Speaker, it's clear that we must pass this bipartisan legislation to help our small companies grow and create jobs. I urge adoption of this bill.

I reserve the balance of my time.

Mr. BACHUS. I yield 2 minutes to the gentlelady from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, small businesses are the engine of the American economy, and our legislation will help to provide the boost that they need to create jobs. When I talk to small business leaders in my district, they consistently site burdensome government regulations, restrictions, and their difficulty accessing capital as the primary barriers to growth.

□ 1330

Currently, outdated Federal rules dampen both innovation and investment because the cost of regulatory compliance is just too high for the up-and-coming firms. H.R. 1070, the Small Company Capital Formation Act, will help change that.

The subject of this bill, regulation A, was enacted during the Great Depression to help small businesses access financing. However, these rules have not been properly adjusted over time to reflect the rising cost associated with taking a small company public. As a result, regulation A prohibits smaller companies from taking advantage of a crucial capital-raising vehicle.

H.R. 1070 will reopen the capital markets for small businesses, allowing them to invest and hire new employees. This legislation will jump-start the IPO market and revitalize public capital-raising opportunities that have been severely suppressed over the last decade.

At a time when capital is harder to find than ever, this bipartisan, commonsense proposal will make our financial system work to the benefit of small businesses and promote greater competition in the marketplace.

I thank the gentleman from Arizona for his hard work on this legislation, and I ask my colleagues for their support.

Mr. BACHUS. Mr. Speaker, I yield myself 1 minute.

Earlier I said that the American citizens, our American citizens, would like to see Republicans and Democrats work together to tackle the challenges facing our country, and this bill is a great example of that. Congresswoman ANNA ESHOO from California introduced this bill, along with my colleague Mr. SCHWEIKERT from Arizona, and they are meeting that challenge. As I said, it's a bipartisan effort. I know she deserves much credit for this legislation.

I reserve the balance of my time.

Mr. PETERS. I certainly appreciate the comments of the chairman.

Mr. Speaker, I yield 2 minutes to the gentlelady from California (Ms. ESHOO), who has been an incredible leader on this issue.

Ms. ESHOO. I thank the gentleman from Michigan for yielding time, and I want to thank my Republican colleagues for both what they are doing today on the floor and for what you have said.

These are really difficult economic times for the people in our country, and that's why it's so critical for Congress to bolster American innovation. That, in my view, is really what this legislation is about. It's an important way to facilitate capital formation, which is really one of the important pillars of our national economy, capital formation. I know how important this is for small businesses because my congressional district, which is Silicon Valley, is the innovation hub of our Nation and it thrives on capital formation.

In December of last year, almost a year ago, I came to the Financial Services Committee at the invitation of then-Chairman BARNEY FRANK, and I want to recognize and thank him today for what he did then, as well as the present chairman, Chairman BACHUS, urging the committee to renovate essentially regulation A, which was created, as others have said, during the Great Depression to facilitate the flow of capital into small businesses. It's really quite extraordinary that FDR and Members of Congress in 1933 recognized the importance of capital formation at that time, and we have honored that since then.

Now, reg A was established as a part of the 1933 Securities Act, and it was designed to provide regulatory relief for small firms that want to sell shares of company stock.

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

Mr. PETERS. I yield the gentlelady 1 additional minute.

Ms. ESHOO. These many offerings have been used to help small companies raise capital and test the waters for IPOs, initial public offerings. Unfortunately, the regulation A threshold became stuck, as others said, at a 1992 level of $5 million. At that low level, the benefit of a regulation A offering is extremely limited. In fact, only three companies, as has been said this afternoon, have taken advantage of it in 2010. So this threshold, the $5 million threshold, falls far short of what companies need to develop the cutting-edge technologies in today's economy. It's outdated. It fails to serve its intended purpose, and it's why this legislation is needed and why I'm so pleased that, on a bipartisan basis, we are taking action today.

We need to raise the initial public offering limit to help provide capital to small businesses.

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

Mr. PETERS. I yield the gentlelady an additional minute.

Ms. ESHOO. Very importantly, we look forward to spurring hiring and business development. That's what we are here for, and I think it's what the American people want us to do.

I'm proud to be a cosponsor of H.R. 1070, to raise the regulation offering limit from $5 million to $50 million, once again creating a meaningful offering limit. What better time than now when our economy needs this important boost.

So I thank the chairman of the full committee. I thank the ranking member. I thank my colleague from Michigan, and I thank the gentleman from Arizona for his very kind words, and I urge all of our colleagues to support this. I think when we do later on today, it will be a source of pride and encouragement to the American people.

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

You've heard from a member of the Commerce Committee, Ms. ESHOO, who I think said it well when she said that we're modernizing, we're updating a rule which had come to restrict job growth.

Secondly, she mentioned technology. We know that small businesses are the innovators. In fact, you look at Google, you look at Apple, you look at Facebook, these companies just in the past two or three decades started off as small businesses and they were able to grow. With the passage of this legislation, we believe that path will be an easier path. Sixty-five percent of the jobs created over the last 15 years have been in small business. As every speaker has acknowledged, if there is a time to encourage job creation and capital formation, that time is here.

I urge the Members to vote in favor of this legislation, and I yield back the balance of my time.

Mr. PETERS. Mr. Speaker, I want to thank my friends Mr. SCHWEIKERT and Ms. ESHOO for their work on this bipartisan bill to help small companies grow and expand. As we all know, the American people want to see Congress working together to strengthen our economy and to create jobs. This bill will help companies access the capital they need to pull our Nation out from these tough economic times and put Americans back to work.

Additionally, this bill provides the necessary protections investors need to have in order to ensure that they will not be subjected to potential abuses.

Mr. Speaker, I urge my colleagues to vote for H.R. 1070, a commonsense, bipartisan bill to improve our economy, and I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of the Small Company Capital Formation Act, which will help restore the purpose of the "Regulation A" exemption that was designed to make it easier for growing small businesses to access capital.

It is critical that we ensure that innovative, growing small companies have access to the capital that they need to continue to grow and hire, because these companies play such an important role in our economy.

Regulation A offers these small companies a unique chance to raise money through small offerings under a streamlined and less costly registration process. This opportunity is especially important in today's economy, in which access to capital has been greatly reduced as many banks hesitate to lend.

Unfortunately, in recent years, few companies have been able to take advantage of the Regulation A exemption because the offering limit of $5 million is too low and has not been updated in the last 30 years.

In fact, there have only been an average of eight filings per year under the exemption in recent years.

By increasing the offering limit, this bill will ensure that more growing companies can take advantage of Regulation A in order to access the capital that they need to expand and thrive.

I'm glad that this bill has come to the floor in a bipartisan way. This proposal is an important component of President Obama's American Jobs Act and has the potential to benefit small businesses across the country. It is the sort of commonsense solution that both parties should be able to agree on.

I particularly want to thank the rest of the San Francisco Bay Area delegation, as we have been working since early last year to enact this long-needed change.

Once again, I urge my colleagues to support this bill.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H.R. 1070, the Small Company Capital Formation Act, and H.R. 1965, the Increase Shareholder Threshold for SEC Registration Act. While I applaud the bipartisan efforts of my colleagues to help small businesses grow and create jobs, the sting of the effects of financial deregulation is still too strong to allow me to support these bills.

With respect to H.R. 1070, I note that Congress has raised the Securities and Exchange Commission's Regulation A threshold five times. Each time, however, was a modest increase that was in my mind relative to the rate of inflation and the purchasing power of the dollar. H.R. 1070 would mandate an unprecedented tenfold increase in the current threshold of $5 million to $50 million. Such an increase strikes me as grotesquely large, especially since inflation has risen only 165 percent since 1980, and in my view constitutes a tremendous incitement to perpetrate fraud on investors.

I take a dimmer view of H.R. 1965, which increases the number of shareholders a bank can have before having to register with the SEC. Under current law, that number is 500, and H.R. 1965 would increase it four times to 2,000. I am not at all satisfied this increase is justified and furthermore consider it a sly way to skirt federal reporting requirements that are in place to protect the American public.

Mr. Speaker, I share my colleagues' concern that not enough jobs are being created and that Congress must take swift action. Where I part ways with them is voting for seemingly innocuous measures like these that unfortunately will decrease transparency for investors and create incentives for all manner of financial rascality.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 1070, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BACHUS. 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.

□ 1340

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2011

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (S. 894) to amend title 38, United States Code, to provide for an increase, effective December 1, 2011, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 894

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 "Veterans' Compensation Cost-of-Living Adjustment Act of 2011".

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2011, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2011, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—

(1) PERCENTAGE.—Except as provided in paragraph (2), each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2011, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) ROUNDING.—Each dollar amount increased under paragraph (1), if not a whole dollar amount, shall be rounded to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85–857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—The Secretary of Veterans Affairs shall publish

in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2012.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from California (Mr. FILNER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

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

I rise today in support of Senate bill 894, the Veterans' Compensation Cost-of-Living Adjustment Act of 2011. This is critically important legislation that authorizes a cost-of-living increase for our veterans' disability compensation, veterans' clothing allowance payments, and other compensation for survivors of veterans who die as a result of service to our country. The 3.6 percent increase in benefit amounts this bill would authorize is tied directly to the consumer price index, which also controls the cost-of-living adjustment for Social Security beneficiaries.

I want to thank the Senate Veterans' Affairs Committee leadership, Senators MURRAY and BURR, for working with me and our ranking member, Mr. FILNER, to get a COLA bill to the President's desk before Veterans Day.

I urge all my colleagues to support Senate bill 894, and I reserve the balance of my time.

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

Like the chair, I rise in support of passage of this COLA act, S. 894, sponsored by my good friend, Senator PATTY MURRAY of Washington, the chair of the Senate Committee on Veterans' Affairs. And I'm proud to work closely with her in my role as the ranking member of the House committee. I thank the leadership of this body for bringing this uncluttered version of the veterans' COLA bill to the floor, which passed in the Senate last month, so that we may pass it without delay and get it to the President's desk.

The veterans' COLA increase will be 3.6 percent for 2012, a figure tied directly to the Social Security COLA whose beneficiaries will also see the same increase in their payments.

As it has since 1976, Congress, through the passage of the Veterans' Cost-of-Living Adjustment Act, directs the Secretary of the VA to increase the rates of basic compensation for disabled veterans and the rates of dependency and indemnity compensation, what we call DIC, to their survivors and dependents, along with other benefits, in order to keep pace with the rate of inflation. This bill will enable disabled veterans, their families, and their survivors from World War I through the current conflicts in Iraq and Afghanistan.

Many of the over 3.5 million veterans who receive disability compensation benefits depend upon these payments not only to provide for their own basic needs, but for those of their spouses, children, and parents as well. Without an annual COLA increase, these veterans, their families, and survivors would likely see the value of their hard-earned benefits slowly erode.

Mr. Speaker, I think we would be derelict in our duty if we failed to guarantee that those who sacrificed so much for this country are able to receive benefits and services that keep pace with their needs and inflation.

We funded the war; let's fund the warrior and his or her family and survivors. Let's ensure that their benefits make ends meet at the end of the month. I urge my colleagues to support this COLA bill, and I thank Senator MURRAY for sponsoring this important measure.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I am happy to yield such time as he may consume to the chairman of the Subcommittee on Disability Assistance and Memorial Affairs, the gentleman from New Jersey (Mr. RUNYAN).

Mr. RUNYAN. I thank the chairman for yielding.

Mr. Speaker, I rise today in support of S. 894, the Veterans' Compensation Cost-of-Living Adjustment Act of 2011. S. 894 is the companion bill to H.R. 1407, which I introduced in April, which passed this Chamber, as amended, on May 23 by voice vote. S. 894 provides a cost-of-living adjustment equal to the cost-of-living adjustment being provided this year to Social Security recipients for veterans' disability compensation, veterans' clothing allowance, and compensation for veterans' survivors.

This is an annual bipartisan bill which has been scored by the CBO as having no additional budgetary impact. It is crucial to ensuring that benefits for disabled veterans and their families are sufficient to meet their needs. As chairman of the House Veterans' Affairs Subcommittee on Disability Assistance and Memorial Affairs, and the Member of Congress representing the district in New Jersey with the largest number of disabled veterans, I have heard from many veterans back home and in Washington about the importance of this needed legislation.

This cost-of-living adjustment is tied to an increase in the consumer price index, which has not increased in the last 2 years. S. 894's increase in the COLA for 2012 reflects rising inflation rates in our volatile economy and is necessary to ensure the well-being of America's returning veterans who have honorably served our country and protected our rights and freedoms.

I am pleased this bill is the first piece of legislation I had the honor of introducing as a Member of this Congress, and I can think of no greater priority or commitment that our country owes than to those who have bravely worn the uniform and defended all that we hold dear as a nation.

I want to thank Chairman MILLER and Ranking Member FILNER for bringing this companion bill to the floor quickly. I would also like to thank Speaker BOEHNER for his support in bringing this bill to a swift vote. I urge all Members to support S. 894.

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

Mr. MILLER of Florida. I yield such time as he may consume to the gentleman from Tennessee, Dr. ROE.

Mr. ROE of Tennessee. I thank the chairman for yielding.

Mr. Speaker, I rise today in strong support of this important legislation which will deliver greater benefits to deserving veterans in Tennessee and across this Nation.

Under Senate 894, veterans will receive a cost-of-living increase for the first time in 2 years. This adjustment is equal to the 3.6 percent annual increase that will be provided to Social Security recipients. This will provide much-needed assistance to service-disabled veterans who are receiving VA disability benefits and their families. This bill is necessary to ensure the well-being of those who have honorably served our country and protect our freedoms.

In these tough economic times, millions of Americans are struggling to make ends meet, including many veterans. This bill represents an opportunity to take care of those who have given so much to take care of us and to help them through these hard times. I urge my colleagues to support this legislation. And as a veteran who has recently returned from Afghanistan, I can't say enough about what our troops in the field are doing now. It is no greater honor than to provide this benefit increase for them that they so richly deserve. I strongly support this. I thank Mr. FILNER for his support and the chairman for his support as well.

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

Mr. MILLER of Florida. Mr. Speaker, I yield such time as he may consume to a new member of the committee, a great advocate for veterans in his time here in Congress, the gentleman from New Hampshire (Mr. GUINTA).

Mr. GUINTA. I thank the chairman for yielding me the time.

Mr. Speaker, I rise to add my voice to those calling for a cost-of-living adjustment for our military veterans. As Americans prepare to observe Veterans Day next week, it's appropriate that this body is preparing to vote on the Veterans' Compensation Cost-of-Living Adjustment Act.

Mr. Speaker, this bill would provide a much-needed 3.6 percent increase in benefits to our veterans, their children, and surviving spouses. The men and women of America's Armed Forces answered our call when the country had asked, and now we must do the same for them.

My State, New Hampshire, has the country's sixth-largest percentage of

veterans by population. Nearly 128,000 former service men and women call the Granite State home. And many of them are hurting. The national unemployment rate among veterans is 13 percent, more than 4 percent higher than the general population.

That's why on Thursday, November 10, I'm hosting a special Veterans Job Fair in my home State of New Hampshire at Manchester Community College from 10 a.m. to 2 p.m. to help them find work. And we've got more than 40 willing employers who are attending, looking to find jobs for our men and women returning to New Hampshire.

I urge my colleagues to join with me in passing this important cost-of-living increase for the men and women who have given so much to all of us.

Mr. MILLER of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. NUGENT), a member of the Florida delegation who has three sons wearing the uniform of this country, two sons currently serving in Iraq.

□ 1350

Mr. NUGENT. Thank you, Mr. Chairman.

As a Member of Congress who represents one of the largest veterans communities in the United States, I recognize the significant responsibility that Congress has to ensure that our veterans receive the benefits that they so honorably have earned. These true American heroes answered the call of duty and put their lives on the line to protect our country, our freedoms, and our way of life.

It's important to remember that these proud Americans also spent their lives working hard, playing by the rules, and saving for a stable retirement. That is why today I am happy to rise in support of the Veterans' Compensation Cost-of-Living Adjustment Act of 2011. This legislation will provide our proud veterans with their first cost-of-living adjustment since 2009.

Mr. Speaker, we as a Nation owe our veterans a debt that can never fully be repaid. However, as Members of Congress, we can ensure that we keep our promise to our veterans by supporting this important legislation.

Mr. FILNER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. BROWN).

Ms. BROWN of Florida. First of all, I want to thank you, Mr. FILNER, for all the service that you've done for the veterans throughout the years. And of course I want to thank the chairman from Florida for your work in bringing this legislation to the floor. It's very important to the veterans.

This legislation affects the benefits of all veterans by raising the compensation they receive to allow them to continue to buy the products they need to live. It is important to pass this bill as a clean bill for those who have made sacrifices to protect the freedoms we hold most dear and do not suffer in these tough economic times.

In the words of the first President of the United States, George Washington: ''The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars were treated and appreciated by their country.''

As we go to Veterans Day—that's coming up November 11—I want to thank all of the veterans for their service.

God bless America.

Mr. REYES. Mr. Speaker, I rise today in support of the Veterans Compensation Cost-of-Living Adjustment Act. This legislation is of great importance to my constituents and to veterans across the Nation.

When our military forces are sent into harm's way, they know that our Nation is committed to caring for and compensating them and their families for the impacts that result of their service. For their sacrifice, we help to repay that debt with high quality care and fair compensation.

Ensuring that compensation rates continue to keep pace with inflation is critical to meeting our obligations to those men and women who have given so much. Today, the House of Representatives will vote on a measure to increase compensation for veterans and their families, so that their income will cover the increased cost of food, housing, and other essentials.

From Vietnam veterans still dealing with the effects of Agent Orange to Iraq and Afghanistan Veterans impacted by traumatic brain injuries, the lives of our troops can be forever changed by their military service. When a servicemember's health or ability to work is impacted, we must provide them with benefits that are commensurate with the sacrifices they have made in defense of our Nation.

Today's bill helps to improve those benefits, and it helps us meet the solemn obligation that we have to our veterans and their families.

Next week, we will honor those who have served on Veterans Day. Today, I urge my colleagues to show veterans the respect that they have earned through their sacrifice and service. I urge my colleagues to vote in support of this important measure.

Mr. FILNER. Mr. Speaker, I urge support of the bill, and I yield back the balance of my time.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include any extraneous material they may have on Senate bill 894.

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

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I once again encourage all my colleagues to support Senate bill 894, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, S. 894.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2061, by the yeas and nays;

H.R. 1965, by the yeas and nays;

H.R. 1070, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

CIVILIAN SERVICE RECOGNITION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2061) to authorize the presentation of a United States flag at the funeral of Federal civilian employees who are killed while performing official duties or because of their status as a Federal employee, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 425, nays 0, not voting 8, as follows:

[Roll No. 818]

YEAS—425

Ackerman	Brady (TX)	Connolly (VA)
Adams	Braley (IA)	Conyers
Aderholt	Brooks	Cooper
Akin	Broun (GA)	Costa
Alexander	Brown (FL)	Costello
Altmire	Buchanan	Courtney
Amash	Bucshon	Cravaack
Amodei	Buerkle	Crawford
Andrews	Burgess	Crenshaw
Austria	Burton (IN)	Critz
Baca	Butterfield	Crowley
Bachus	Calvert	Cuellar
Baldwin	Camp	Culberson
Barletta	Campbell	Cummings
Barrow	Canseco	Davis (CA)
Bartlett	Cantor	Davis (IL)
Barton (TX)	Capito	Davis (KY)
Bass (CA)	Capps	DeFazio
Bass (NH)	Capuano	DeGette
Becerra	Carnahan	DeLauro
Benishek	Carney	Denham
Berg	Carter	Dent
Berkley	Cassidy	DesJarlais
Berman	Castor (FL)	Deutch
Biggert	Chabot	Diaz-Balart
Bilbray	Chaffetz	Dicks
Bilirakis	Chandler	Dingell
Bishop (GA)	Chu	Doggett
Bishop (NY)	Cicilline	Dold
Bishop (UT)	Clarke (MI)	Donnelly (IN)
Black	Clarke (NY)	Doyle
Blackburn	Clay	Dreier
Blumenauer	Cleaver	Duffy
Bonner	Clyburn	Duncan (SC)
Bono Mack	Coble	Duncan (TN)
Boren	Coffman (CO)	Edwards
Boswell	Cohen	Ellison
Boustany	Cole	Ellmers
Brady (PA)	Conaway	Emerson

Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—8

Bachmann
Cardoza
Carson (IN)
Giffords
Lowey
Murphy (CT)
Ruppersberger
Rush

□ 1419

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

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to authorize the presentation of a United States flag on behalf of Federal civilian employees who die of injuries in connection with their employment.''.

A motion to reconsider was laid on the table.

INCREASING SHAREHOLDER THRESHOLD FOR SEC REGISTRATION

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1965) to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. SCHWEIKERT) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 2, not voting 11, as follows:

[Roll No. 819]

YEAS—420

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gibbs
Gibson
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas

Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—2

Amash
Dingell

NOT VOTING—11

Bachmann
Barletta
Capps
Cardoza
Carson (IN)
Gerlach
Giffords
Gingrey (GA)
Murphy (CT)
Ruppersberger
Rush

□ 1428

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BARLETTA. Madam Speaker, on rollcall No. 819 I was inadvertently detained. Had I been present, I would have voted "yea."

Mrs. CAPPS. Madam Speaker, on rollcall No. 819, had I been present, I would have voted "yea."

Mr. GERLACH. Madam Speaker, unfortunately, I missed one recorded vote on the House floor today. Had I been present, I would have voted "yea" on rollcall 819.

SMALL COMPANY CAPITAL FORMATION ACT OF 2011

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1070) to amend the Securities Act of 1933 to authorize the Securities and Exchange Commission to exempt a certain class of securities from such Act, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 1, not voting 11, as follows:

[Roll No. 820]

YEAS—421

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—1

Dingell

NOT VOTING—11

Bachmann
Bass (NH)
Cardoza
Carson (IN)
Cleaver
Giffords
Gohmert
Hirono
Murphy (CT)
Ruppersberger
Sanchez, Loretta

□ 1435

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to amend the Securities Act of 1933 to require the Securities and Exchange Commission to exempt a certain class of securities from such Act."

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CARSON of Indiana. Madam Speaker, I missed rollcall votes 818–820 because of a death in the family. Had I been present, I would have voted "yes" on rollcall 818, "yes" on rollcall 819 and "yes" on rollcall 820.

APPOINTMENT OF MEMBERS TO THE CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 6913 and the order of the House of January 5, 2011, of the following Members of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. WOLF, Virginia
Mr. MANZULLO, Illinois
Mr. ROYCE, California

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION APPROPRIATIONS

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

Ms. DELAURO. A recent graph in CQ Weekly dated October 28 depicts the progress made so far on this year's appropriations bills. Only one box—that's

for the Labor, Health and Human Services, and Education Subcommittee—is blank.

With 9.1 percent unemployment, we need a vigorous debate over this bill. Its jurisdiction includes job training, K–12 and higher education funding, and health care services. And yet unlike the other 11 appropriations bills, Labor-H is the only appropriation bill that has seen no action. Instead, the chairman has posted a draft bill on the Internet representing his own preferences for the people's budget. But the chairman, by himself, is not the subcommittee; and simply posting a wish list without ever bringing it to the subcommittee or the full committee for a markup is not an acceptable substitute for public debate and amendment.

This kind of action represents a clear violation of the majority's pledge to follow the regular order or the regular process. If no House markup is held, this would be the first time in nearly a decade that the subcommittee has failed to report a bill. It is time for the chairman and the majority to keep their promises and hold a markup for the Labor-H bill. The issues that face that subcommittee are far too important to be left to the chairman's personal wish list.

OPERATION FAST AND FURIOUS, WHO'S TO BLAME?

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

Mr. POE of Texas. Mr. Speaker, when the coach messes up, blame the team. This policy occurred yesterday.

Yesterday, in an attempt to divert attention from the Attorney General, Assistant Attorney General Lanny Breuer took one for the head coach and testified about Project Gunrunner. He claimed that he knew about the practice of ''gun walking'' but still tried to punt the ball by placing blame on Team ATF for not stopping Fast and Furious. But the Department of Justice oversees the ATF, and apparently the Justice Department knew about Fast and Furious. So why didn't they stop it? Mr. Breuer said that he had talked to the ATF about it, and so he thought he didn't need to tell the Attorney General. So now it appears the dysfunctional Justice Department is responsible for this disaster.

Bottom line: Nearly 2,000 semiautomatic weapons were blindly sent into the hands of criminal narcoterrorists in Mexico, and people died because of this operation, at least two Americans and who knows how many Mexican nationals. Thousands of guns are still unaccounted for in Mexico.

Clearly, the Department of Justice needs a new head coach, and a special counsel should be appointed to investigate Fast and Furious.

And that's just the way it is.

□ 1440

TRIBUTE TO LUKE WEATHERS

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

Mr. COHEN. Mr. Speaker, this weekend I had the privilege, unfortunately, to attend a funeral of a great American, a constituent of mine living in Tucson, Arizona, when he passed at age 91, Colonel Luke Weathers.

Colonel Weathers was a Tuskeegan Airman. Born in Mississippi, he came to Memphis at I think it was age 5, and went to the famous Booker T. Washington High School. At age 23, he went to Tuskeegan. He was one of the first Tuskeegan Airmen and was decorated with more honors and awards than you can imagine, every flying award you can possibly get.

He later went on to work with the air traffic controllers and was the first African American air traffic controller in Memphis, Tennessee, at our air traffic control station. He served 25 years with the FAA as an air traffic controller, serving duties in Anchorage, Alaska, where he started; also in Atlanta, Georgia; and in Washington.

Luke Weathers was a great man who didn't let race stop him, even though sometimes his country's policies made it difficult to both integrate the Air Force and the squadron and the FAA. And even his church where the funeral was, Little Flower, he was the first African American member of that church in 1963. I was pleased to be with the family, honor this man's memory, and appreciate what he did for our country.

Mr. Speaker, Luke Weathers was a great man.

HOUSE REPUBLICAN JOBS PLAN

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

Ms. FOXX. Mr. Speaker, the Republicans have passed over 15 bills that would help create jobs and, in addition, ease the energy needs of this country. But where are those bills, and why is the President asking us to pass his jobs bill which almost no Democrats have signed on to? We've passed over 15 bills. They're stuck in the Senate. One Senator has described the Senate as moribund.

Mr. Speaker, we can help create jobs in this country by empowering small businesses and reducing government barriers to job creation, fixing the Tax Code to help job creators, boost competitiveness for American manufacturers, encourage entrepreneurship and growth, maximize American energy production, and pay down America's unsustainable debt burden and start living within our means. People can find out more about our jobs program by going to jobs.gop.gov. I invite the American people to see what Republicans have presented to the Senate. Those 15 bills should be passed.

OPPOSE CONFEDERATE FLAG ON TEXAS LICENSE PLATES

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

Ms. JACKSON LEE of Texas. Mr. Speaker, one day before the Nation gathers to commemorate Veterans Day, a day that brings all of us together, it saddens me to come to the floor of the House and announce under the leadership of Governor Perry, on November 10 in Texas, the Department of Motor Vehicles board will be voting to authorize a State-issued Confederate license plate.

Now, I realize that our work here in the Congress is about passing the jobs bill, which we are advocating to do. But I think it is a disgrace on the history of this Nation that a State-elected agriculture commissioner by the name of Patterson continues to push forward this untimely and ill-fated action.

The Confederate flag does not protect or honor Confederate soldiers. You can do that in museums. The symbol of a Confederate flag is that of a Klansman of the late 1880s and early 1900s; the brutality of slavery; the oppression of slavery; the Jim Crowism of the 1940s and 1950s. It's an ugly reminder of the past of our history. It is time to take America forward and Texas forward.

I will be in Austin on November 10 opposing that action. I ask all good-faith, well-intended Texans that want to take Texas forward to come and oppose any vote that would issue a Confederate flag. And I make a clarion call to all Americans who would like to drive to Texas, come to Austin and stand up against this dastardly deed. Stand up against promoting slavery and oppression. Come to Texas and tell Governor Perry and Commissioner Patterson enough is enough. Take the Nation forward. Don't take it backwards.

SALUTING MARK ANDOL'S COMMITMENT TO AMERICAN WORKERS

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

Mr. HIGGINS. Mr. Speaker, I rise to share the story of Mark Andol, a member of my western New York community. Mark owns a welding and fabricating company in my district. Like many American manufacturers, it lost sales to China in recent years and was forced to cut its 70-person workforce in half.

Mark was frustrated and decided to do something about it. He opened a general store that sells only products manufactured entirely in America. When it opened last year, the store offered 50 products. Since then sales have doubled, and it now sells over 3,500 products that are 100 percent American-made, right down to the packaging.

I visited Mark's store earlier this week and was highly impressed. I was

happy to invite him to the Make It in America working meeting hosted by the White House and our Democratic whip, Mr. HOYER, tomorrow.

Mr. Speaker, Mark's experience demonstrates why we need to strengthen our trade laws and pass the China currency reform bill. In the meantime, I would like to salute Mark Andol for his commitment to the American worker.

JOBS

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

Mr. GARAMENDI. Mr. Speaker, thank you very much for the opportunity to take this hour together with my colleagues to discuss jobs in America. I think we know from our recent visits back to our districts that there's a great deal of pain in America. Americans want to go to work, and yet the jobs are not available.

Our President has proposed the American Jobs Act, a program that would put perhaps 1.9 million Americans to work as soon as the Congress of the United States were to pass that legislation. And so that's the subject matter of this hour, how to get Americans back to work and how to pay for it.

I'm going to start with the pay-for, a word that's used around here but perhaps not readily understood by Americans. Pay-for is how are we going to pay for the Federal programs.

Let's start with an analysis of the distribution of income in America. There's been more and more discussion about this in recent weeks, and appropriately so because what has happened over the last 25–30 years is a skewing, a wide separation of wealth in the United States to a point where it is now perhaps the widest separation between the very wealthy and the middle and poor people in America that has ever occurred in our history. Here's a pretty good description of it. If you take the top 1 percent, we've seen an enormous growth in their income, about 350 percent.

□ 1450

If you take the middle, the other 99 percent of the American population, you see very, very modest growth. And in the case of the poor, you've actually seen a decline in their income over the last two decades. And that's what's happened, this enormous separation between the very wealthy and the middle class, the working men and women of America. It's not that the real rich don't work; just not that many of them. But they sure have got a big share of the money.

Let's take, for example, the top executives of the oil industry. If we were to take the top executives of the big five oil companies and compare them to a firefighter, a firefighter averages about $47,000 a year. An executive, a CEO of an oil company, would have 307 times that amount of income. And if you take a teacher at say $53,000 a year, the CEO would have 273 times the amount of income of a teacher. So what you're seeing here in just the oil industry—and this is repeated certainly in the banking and the Wall Street industries, the financial industries—you see this enormous separation. Thirty, 40 years ago, this was in the range of 40 times, maybe 50 times. But now we're talking 300 to, in the lower 300s, a separation of the super wealthy and the working middle class, the men and women that are out there constructing schools, making our schools or teaching our kids or protecting us, police and firefighters.

I put those graphs up because it provides us with a solution. Before I get to the solution, let's just take one more look at the way this income distribution is occurring here in the United States. The rising inequality since the 1970s saw a very sharp break in the prosperity from an earlier era. From 1946 to 1976, the top 1 percent actually had a very small portion of the total wealth. From 1976 to 1990, we've seen enormous growth in the average income—not the wealth but the average income—of the top 1 percent so that now it dwarfs the rest of the population. So this is why you see Occupy Wall Street, Occupy Oakland, and the other cities talking about the 99ers, the 99 percent. The 99 percent are the rest of us, and the 1 percent are the CEOs, the Wall Street barons and those that have made enormous amounts of income over the last 20 years.

In the last decade, that's become even more apparent with the Bush tax cuts that occurred in 2001 and 2003. They basically significantly lowered the tax rate for the super wealthy and allowed them to keep even more of the extraordinary growth in their salaries and their income.

So how does that relate to American jobs? Well, very, very directly. The American jobs program that the President put forth called the American Jobs Act would provide very substantial opportunities for employment. And what I'd like to talk about is small businesses here. The small businesses of America are given a very substantial tax break in two different ways if they are to hire new people. For example, small businesses with less than $5 million of payroll are able to not pay their payroll tax, in other words, keep that money and go out and hire people. In addition to that, with Veterans Day coming up in just 1 week, we ought to be thinking about the veterans. We know that we have more than 1.5 million Americans that have been overseas fighting in Iraq, Afghanistan, and a few other places around the world. As those veterans come back, they have become the highest proportion of unemployed in America.

It would seem to me that since we are asking so much of those men and women that have served in our Armed Forces, particularly those that have served in the Afghanistan and Iraq wars, we ought to be looking to their interest very directly and making certain that our programs are focused on them. Well, this is not lost on our President. In the American Jobs Act, he deals very directly with this by providing employers with a very powerful incentive to hire veterans. So with Veterans Day coming up, let's take a look at that. Let's take a look at what the President is proposing for the 877,000 unemployed veterans, the men and women that were out there fighting for this country, protecting us and doing what has been asked of them in an extraordinary way. More than 6,000 of them have given their lives, and over 40,000 have been seriously wounded. Of that 40,000, a very large proportion are permanently, permanently damaged in many difficult and extraordinary ways. And 877,000 of them are unemployed. And the President, looking at the necessity of building jobs in America, said, let's take care of those people.

So what he has proposed, and I think this is a terrific idea, is that small businesses, in fact, any business that is out to hire a veteran will be given an immediate $5,600 tax credit so that the taxes owed by that business or that employer would automatically be reduced for every veteran hired by $5,600. Hire an unemployed veteran, and you can reduce your taxes by $5,600. Even more so, if that veteran happens to be among those that have been wounded—and as I said, that is over 40,000—if you were to hire one of those wounded veterans, one of the seriously wounded that is connected with their service disability, the tax credit increases to $9,600. That's a very, very powerful incentive for businesses to hire our veterans. So with Veterans Day 1 week away, it's incumbent upon the 435 of us here in the United States Congress to not just talk the talk, but begin to vote to provide the veterans with the services that they need.

Now why did I start off with this graph? Why did I start off with this, showing the income disparity in the United States? Because this is how we should be paying for it—those Americans that have done extraordinarily well. And we're not talking about just extraordinarily well; we're talking about extraordinarily extraordinarily well. They have seen their income rise to a point of astronomical figures in some cases. And certainly it's seen on Wall Street. It's time for them to push aside the George W. Bush tax cuts. These tax cuts allowed them to keep a very large portion of their income. Taxes went down on income over $250,000 for joint filers, it went down from 39 percent to 35 percent. And do keep in mind all of the tax writeoffs that they're able to take advantage of that most Americans can't get. But nonetheless, since they've had 11 good years, 11 good years where they have received a significant tax cut, I think

it's time for them to share and help our veterans get a job.

And so the President has proposed, as part of his American Jobs Act, which is fully paid for, that those men and women whose annual adjusted gross income after deductions—adjusted gross income after deductions—is $1 million or more, we're not talking about mom and pop on Main Street here, we're talking about those folks on Wall Street and those CEOs from the energy industry and the oil companies, those folks, it's time for them to come back and help America. It's time for them to stop shipping jobs offshore, stop playing all the Wall Street gambling games that got us in such trouble, and it's time for them to share in a fair way to pay for an American Jobs Act that would put veterans back to work by providing businesses in the United States with a tax credit when they hire one of those 877,000 unemployed veterans that have been out there keeping this country safe.

So if you earn more than $1 million adjusted gross income after all of your deductions, yes, 5.6 percent of that income over and above would be surcharged, and it would go back up to just about 40 percent.

□ 1500

Is that going to hurt anybody? No. Is it going to help somebody? Oh, yes. Oh, yes, it's going to help Americans go back to work. And it's not just in the area of veterans, although we certainly ought to be focusing on this. My plea to my Republican colleagues here on the floor is, let's not just talk about veterans and how we honor them next week. Let's vote this week while we are here to put the American Jobs Act out of this House, or at least put this part of the American Jobs Act out of the House and pay for it with a surcharge on those very fortunate Americans who have worked hard, been lucky, or whatever. Allow them the opportunity to pay for putting our veterans back to work. So let's get with it.

Now I know you're going to go back to your districts, and you're going to go to the veterans parades and you're going to talk all the talk. But here's where the walk occurs: in this House, in this week, we have the opportunity—in fact, we have the obligation—to really help our veterans, to really help them by putting them back to work; and this is one way to do it.

Let me talk for a moment about another way of doing it, and I think I'll deal with this one. Not only are there 877,000 veterans unemployed, but well over 9 million, 12 million Americans, and another 12 million that are underemployed. The President, in his jobs act, says for small businesses, if you hire an unemployed person who's been unemployed for 6 months or more, you can have a $4,000 tax credit. So veterans, $5,600; a wounded veteran—one of our returning heroes—$9,600; and for a long-term unemployed American, hire somebody and you can reduce your tax burden by $4,000. That's a pretty good deal.

In addition to that, if you're a small business with a payroll of less than $5 million, you can write off, not pay the payroll tax at all. For individual families, the President has proposed—and we all talk about the need for individual families to have additional money in their pocket, so the American Jobs Act said, for individual families, tell you what, half of the payroll tax that you're presently paying—about 6 percent—you don't have to pay it; you can keep that money. It's over $1,500 a year in the pockets of average Americans out there.

So the President has put together a program here, the American Jobs Act, to deal with unemployed—some 6 million have been unemployed more than 6 months; hire them, get a $4,000 tax credit. Hire an unemployed veteran and you can get a $5,600 tax credit. Or if that veteran happens to be one of the wounded warriors, one of America's true heroes, it's $9,600.

So it's time for us to act. It's time for the American public to tell Congress we can't wait. We can't wait. We can't take any more of this unemployment. Pass a real jobs program.

I know my colleague here, a few moments ago, was talking about the 15 bills that went over to the Senate. If you take a look at those bills, not one of them was a real jobs bill. What they did was basically gut the environmental regulations of this Nation so that our children can have a little more arsenic, a little more mercury, a little more pollution, and a little more polluted water. That's not a jobs bill. There is no economist in this Nation that will tell you that by gutting the environmental regulations you're going to produce jobs. What you're going to produce is sickness, ill health, cancer, and the rest. So those are not real jobs bills at all. The real jobs bill is the American Jobs Act, and we're going to be talking about that with my colleague from Ohio in just a few moments.

I want to share with you a piece of legislation that I've introduced. All of us are paying taxes—or at least I think most every American pays some sort of tax, a payroll tax or perhaps an income tax. That tax money is used for a variety of things. It's used for our military; it's used for our Social Security and Medicare and the like. It's also used to subsidize a variety of programs. Today at a press conference, we talked about the $12 billion a year of subsidies that we pay to the oil companies. That's right, you and I pay our tax money to the oil companies so they can have a little more. Keep in mind that this year their profits are up 100 percent. In the last decade, they've had $1 trillion of profit. They don't need our tax money. But there is a program for clean solar and wind. Those kind of programs are our tax money being used to subsidize green energy.

We also use our tax money to build highways, bridges, trains, light rail systems. This bill, H.R. 613, simply says that if our tax money—in this case, the gasoline tax money—is going to be used, it must be used to buy American-made equipment, so that that Amtrak train out there is made in America. We're paying for it. It's our tax money; it ought to be American made. This is part of the Make It In America agenda. If you want to put a solar panel on your roof and you want the Federal tax credit, terrific, buy American-made solar panels. If you don't like American-made solar panels, use your own money, buy whatever you want; but don't use our tax money to buy a Chinese panel. Help American jobs; make it in America.

The same way with these wind turbines we're seeing all around the United States. It's our tax money that's subsidizing that, and that's good. What's not good is if that wind turbine is made in China or Europe. American made. You want the tax credit, buy American made credit.

Now joining us from the great State of Ohio is Congresswoman BETTY SUTTON. I know that you've been involved in this for a long time, the Make It In America agenda.

I yield to the gentlewoman to share with us her thoughts.

Ms. SUTTON. I thank the gentleman for his leadership. Representative GARAMENDI has been a strong voice for the people of this country, standing up for the middle class, and it is my privilege to join you down here on behalf of the hardworking people of Ohio.

I think that we begin by noting that we think that the true measure of America's economic success is the well-being of American families, not just the stock market or corporate profits. Now, I know that you've already talked about this, but it's just so important that we focus on the fact that the promise of America must be for all Americans, not just the wealthy few.

So we come to this floor and we once again look at a couple of things. One of them—we've heard it many times, but it bears repeating—you know, even some of those who have done so well in America now are calling on us to have them do well by America. We've heard Warren Buffett say—here's a chart that shows that his income was $46 billion, his tax rate is 17.7 percent. His secretary's income is $60,000 and his secretary's tax rate is 30 percent. And to quote Warren Buffett, he says: ''My friends and I have been coddled long enough by a billionaire-friendly Congress.'' So even he is calling on Congress, and we join him in that call because it's so important that we focus on what is the backbone of this country. What makes this country so great is the strength of its middle class, and we know that it has been squeezed and squeezed and squeezed.

We are now in a place where one in four homeowners are under water. That means owing more on their mortgage than their house is even worth. We

know that college tuition and fees increased about 300 percent over the last 20 years, and graduates are now leaving school with an average debt of $24,000. Taxes for the richest 400 Americans were sliced in half as their income quadrupled and now are paying only 17 percent.

Now, this is a complicated problem, and it's a serious problem; but the good news is that it doesn't have to be this way. We all know that the key, the solution to strengthening this great country and restoring the promise of the middle class lies in getting people back to work.

So I'm very happy to hear you talking about your bill that deals with making sure that we're buying American—iron, steel and manufacturing goods—when we move into new industries in the future. And I have a number of bills that require the use of iron and steel and manufactured goods made in America when we build our infrastructure, which, of course, is one of the key components, that building of our Nation's infrastructure that our President is trying to make happen with the American Jobs Act.

□ 1510

Why do we need to do that? Obviously we need to put people back to work, but we also have this: We have more than 2,700 miles of our roads in need of repair. That's greater than the distance between Washington, D.C., and San Francisco, California. Now, that's from the Research and Innovative Technology Administration at the U.S. Department of Transportation. So we know that the need is extraordinary.

What would this mean for our workers? Under the American Jobs Act, building new jobs for nearly 2 million unemployed construction workers. Can you imagine?

We know that when we strengthen our infrastructure, we strengthen our middle class and we strengthen our Nation as a whole and its place in the world.

So, with that, thank you again, Representative GARAMENDI, for being down here fighting the fight, because we can do things differently and get different results, results that work, not just for the privileged few, not just for the billionaires and millionaires, but for people out there who want nothing more than a chance, a fair chance at the American Dream.

Mr. GARAMENDI. How correct you are. Thank you very much, Ms. SUTTON, and thank you for bringing up the issue of infrastructure. Infrastructure's a problem all across this Nation.

I spoke earlier about the use of our tax dollars to support infrastructure so that we buy American, so that we can make it in America. And those are middle class jobs. Once we start making things in America, we start making middle class jobs.

The American Jobs Act has the potential of putting 2 million Americans back to work, many of them construction. Those are not just temporary things that are going to be built. Those are permanent foundations upon which the economy will grow in the future. So it's a sanitation system; it's a water system; it's a highway. That is a solid investment that gives the American economy a foundation upon which it can build, and immediate jobs.

What does it take?

Ms. SUTTON. You mentioned our water and our sewer infrastructure, which is important, critically important. And as we build that out, I have a bill that's called Stop American Jobs from Going Down the Drain Act, and what that would do is it would require that when we build that water——

Mr. GARAMENDI. Reclaiming my time, you have a bill that does what?

Ms. SUTTON. It's called Stop American Jobs from Going Down the Drain Act.

Mr. GARAMENDI. I thought I heard you correctly.

Ms. SUTTON. That's correct. And it's very simple because it deals with our water and our sewer infrastructure, which is in desperate need of rebuilding in this country. And as we rebuild it, we can even multiply the jobs out if, as this bill requires, we use American iron, steel, and manufactured goods, because then the ripple effects of putting those folks who work in those industries, our ironworkers, our steelworkers, those who work in manufacturing, they also will have the benefit of us building out, in addition to our construction workers.

Mr. GARAMENDI. I want to come back to your Don't Let American Jobs Go Down the Drain Act. I love that title. But even more so, I like what it tries to accomplish. I'm going to come back to it.

Our colleague from Illinois (Ms. SCHAKOWSKY) has also joined us here today.

If you could share with us your thoughts. You're not too far from Ohio. You must have similar issues in that great Midwest.

I yield to the gentlewoman.

Ms. SCHAKOWSKY. Everybody has the same issues: the underground systems, the water systems, the overhead systems, the bridges. I wonder sometimes about those who don't support the American Jobs Act. Don't they drive over bridges? Don't their families drive over bridges?

We have 400 unsafe, structurally unsafe bridges in the State of Illinois, and so aside from the jobs that it would create, the safety issues that would be addressed.

I wanted to just debunk a myth that is so persistent and that some of our colleagues on the Republican side want to repeat over and over again, and that is that the stimulus bill did nothing, created no jobs. And of course that's just not true. No matter how many times they say it, it is not true. Between 1.9 million and 3 million jobs were created or saved.

But I also know it's not true because many of those same people, when the ribbons get cut on those projects, actually appear at the ribbon cuttings. As we speak right now, there are people who are collecting those photos and videos and news accounts of those people who say the stimulus program created no jobs so that we can compile those kind of things and show the hypocrisy that you have when the project opens, there they are, smiling and cutting the ribbon, because it's not true. It did create jobs.

I wanted to point out that at the very beginning of our country, George Washington asked Alexander Hamilton to come up with a manufacturing strategy. Hamilton was the Secretary of the Treasury, and he came up with an 11-point manufacturing strategy because, at that point, almost everything had to be imported mainly from England, from whom our colonies had just broken and now our new country was trying to create its independence.

Really what Alexander Hamilton did was kick off the American industrial revolution, and there are a number of principles which I think are very applicable today. They call stimulus—he doesn't use that word, but he talks about pecuniary bounties, which essentially is to support industries, to give money to create jobs. This has been found to be one of the most efficacious means of encouraging manufacturers; and it is, in some views, the best, though it hasn't been the practice, he says, of the United States, and that we should do that.

He also says, the encouragement of new inventions and discoveries at home, and the introduction into the United States such as may have been made in other countries, particularly those which relate to machinery.

So we had a comprehensive industrial manufacturing policy which involved the public sector making contributions, investing and making sure that not only did we have a vibrant industrial economy, but we had people that would work in those things.

By the way, when George Washington found out that he had been elected President, he looked for an American-made suit and finally found someone in Connecticut that was actually making those, the fabric; because, while we had the raw materials, they were made into clothing mostly in England, and he was darned if he was going to be wearing an imported-from-England suit to the inauguration as President.

Mr. GARAMENDI. I'm absolutely fascinated. I'd heard some of this before, but I'm so happy you brought that to our attention. So since the very first day of this country, we've had a policy in the United States of encouraging manufacturing, making it in America.

Ms. SCHAKOWSKY. That's exactly right.

Mr. GARAMENDI. George Washington's inaugural suit, I'm going to use that. That is a wonderful, wonderful story.

I understand the canal system, that was a way of transportation. Infrastructure also came about at that time. I know here in the Potomac River canal, George Washington started that at about the same time, and then the Erie Canal. All of these were transportation systems that were right back at the very beginning of our country.

Ms. SCHAKOWSKY. These are called public works projects for a reason. They're done by the public sector. They are good for our country. They are good for our economy. They put people to work. And that's exactly what we ought to be doing, and that's what the American Jobs Act is for.

Let me just emphasize one other piece of it, and that is the piece of fixing our schools. Again, not only does this create jobs and not only does this do it summer, winter, spring, and fall because you don't have to wait for construction season, but it's also good for our children who are sitting in schoolrooms around the country that are really toxic, where there's asbestos contamination and that are dangerous or inadequate in the sense of being unwired for the kinds of technologies that we need for the future in order for them to be able to get good jobs, not only now but when they become adults and go into the workforce.

This is such a no-brainer to me. If we are serious about wanting to educate or children as well as put people to work, as well as create a healthy environment for them, this is such a sensible proposal, a part of the American Jobs Act.

Mr. GARAMENDI. As I recall, there are 35,000 schools that could be renovated—classrooms, playgrounds, roofs, painting, bathrooms, laboratories—35,000 schools across this Nation.

Ms. SCHAKOWSKY. And electrical connections for the Internet.

□ 1520

Mr. GARAMENDI. I bet some of those are in Ohio.

Ms. SUTTON. Absolutely. Ohio is in need, and I think it's important that we look at not just the cost that we're experiencing today from the failure to put people to work doing this work that needs to be done in our schools, building our Nation's infrastructure, which needs serious attention, according to all of the estimates and all of the surveys out there. The fact of the matter is, it's important to look at the long-term effects, too. Because those schools, if we fail to invest in education, whether it's in the physical facilities or education in general—which is another place that some of our colleagues across the aisle want to cut back.

The American Jobs Act is going to put more teachers in the schools. One of the things that we do is we choke off our future because other countries, make no mistake, they're investing in education because they know that that creates a better future, not just for the children and the students themselves, but for their Nation and the strength of their Nation.

They're also investing in their infrastructure for the same reason, because having an up-to-date, a state-of-the-art infrastructure is going to strengthen their competitiveness. It's going to strengthen their place in the world.

And while others are doing that, here we are with all of this work that needs to be done that would add to the value of our Nation which is so great in the first instance. But there is no substitute for creating real value.

In this last recession, we saw the very risky proposition of people on Wall Street moving money around, not creating any real value. You would think that more would have learned the lesson, because we need to have strong infrastructure. When you put people to work building things, you're creating real value. When you put people to work in manufacturing and you take something of lesser value and you turn it into something of greater value, that cannot be replaced with the smoke-and-mirrors trading that we saw going on before the recession.

Mr. GARAMENDI. You're quite correct about smoke and mirrors.

When you brought up education, in the American Jobs Act, the President has proposed a better deal for America. And part of it is this education piece. It's right here.

In the American Jobs Act—fully paid for; we're not adding a nickel to the deficit—fully paid for is a huge and important education piece. We talked about the renovation of schools. Just the environment in which kids will learn. If you have a good learning environment, it's clean, it's healthy, well lit, the electrical system is working, you have air conditioning and the rest, kids are going to learn much, much faster in a better situation.

But you also need a teacher. Now, I know in California, I know from my daughter and son-in-law, both of whom are teachers, the layoffs that have occurred in their school and the increase in their class size. My daughter went from 22 or 23 to 32 or 33 students in her class because of layoffs. The President in his American Jobs Act has proposed that 280,000 teachers across this Nation go back into the classroom, that they don't have a pink slip, that they're not unemployed. That they're actually teaching our kids.

And as you said, the most important investment a society makes is in the education of their children. Infrastructure, critically important. Security, national security, military, critically important. But if you don't have a well-educated workforce, all the rest will fail.

So let's put those teachers back in the classroom. Let's use a fair tax policy: Those that have done so extraordinarily well in the last two decades, the top 1 percent, let them help the rest of the 99 percent by paying 5½ percent more on income over and above a million dollars. It works. It's fair. And 280,000 teachers will be back in the classroom in my own State. Some 30,000 teachers will be back in the classroom. And there will be police and firemen in the street to help protect us. What's wrong with that? Why are we not doing it?

In the Senate last week and again this week, a Republican filibuster was used to stop the progress of the American Jobs Act, and here in the House of Representatives, it's not even heard before committee. The Republican leadership will not even allow it to be heard.

So let's get on with it. Let's put Americans back to work.

I yield to the gentlewoman from Ohio.

Ms. SUTTON. Thank you so much, Representative GARAMENDI.

It seems there are some here in this body, and, with all due respect, there are a lot of folks who come to Congress and they're fairly well-heeled themselves. It seems that some who are here, they seem fixated on protecting those tax breaks that ship jobs overseas. They seem very concerned about that top 1 percent, the billionaires and the millionaires.

It seems as if they almost believe that we can fix this country's economy without making most Americans better off, which is a backwards proposition. It's almost like they think that the top 1 percent is who built this country, and that that's where all of our policies should be aimed.

But I disagree and I know, Representative GARAMENDI, that you do as well. We understand that when we have people working, building infrastructure and making things and manufacturing, that that has a way of rippling out, right? And then we have those taxpayers who of course are energizing our economy. And then we have the revenue that comes into our communities that can put our firefighters and our police officers and our teachers into a salary that they have earned and they deserve for doing the important work that they do.

But instead of doing that, instead of making the choice that those at the top should pay a fair share, they want to take more out of those firefighters and teachers and police officers and nurses.

Right now as we speak, we're a week away from a referendum in the State of Ohio. If that issue, Issue 2, is voted down, it will be a really big moment because what that would do is it would repeal a bill that was passed by the State legislature there. And that bill is aimed at attacking our firefighters, our police officers, our teachers, and our nurses by reducing their collective bargaining rights, their ability to even have a voice at the table, to be part of the solution, which they always are because they know what's going on in America.

They didn't go into those jobs because they thought that they would

make tons of money. They went into those jobs because they had a commitment to service, to teach our kids, to run into our homes when they're burning to try and save us, to go out on our streets and make them safe. And yet they're the ones that some are looking at to get money back?

It wasn't our teachers or our firefighters or our police officers, it wasn't the seniors on Social Security or Medicare, it wasn't the students and their Pell Grants that drove our economy off the cliff. It was Wall Street that drove our economy off the cliff. And it's time that they pay a fair share so middle class America can start to breathe a little easier again knowing that they'll have opportunities in this country.

Mr. GARAMENDI. I am so proud of what you and others are doing in Ohio, fighting back against an extraordinarily unfair law that takes away the ability of people to come together and collectively voice their concerns. That's what it's all about.

You can say it's unions, and yes, but it's also the ability of people to say, Wait a minute—we're all working here at this school. We're the workers. We're the teachers, and we should have a voice in what is going on here. Not just in our pay and in our benefits, but also in the way this is working.

□ 1530

So you're fighting back, and you're making progress. Hopefully, that proposition will pass, and we'll begin to set a new model.

Ms. SUTTON. Representative GARAMENDI, I couldn't agree more with the idea that this is the voice of the people, that this is a referendum. They said to the Republican Governor and the legislature there, You've gone too far. Our firefighters and our police officers and our teachers, they're not our enemies. They're our heroes; they're the people who we look up to, who do good work on behalf of all of us, not just those who are the privileged few. And this is where we make our stand: on this referendum.

It's so important that the American people look at what's going on, frankly, in Ohio, and that we have a strong voice. Just to make sure that we have a correct record, a ''no'' vote on that issue is going to repeal that bad bill. We'll see what the people in Ohio do, but I am confident that we're speaking up together for one another and for police and firefighters and teachers.

Mr. GARAMENDI. We need to also understand where the power has shifted. The power has shifted here.

This is the average pay of the CEOs of the five biggest oil companies—$14.5 million. That's 307 times the pay of a firefighter, 273 times the pay of a teacher, 263 times the pay of an average police officer, and 218 times the average pay of a nurse.

So what we have seen—and part of this has to do with collective bargaining—is that the power has shifted to the CEOs, to the extraordinary wealthy, and that it has resulted in this situation: where the middle class and the poor in America have seen virtually no change in their incomes over the last 20, 25 years. They've been flatlined—basically the same level of income. They're just making it.

This particular line is the next highest 20 percent. The only reason they've seen their incomes grow is that both husband and wife are now working. Back there, back in the seventies, mostly just one or the other was working; but now both are working.

But look here: this is the top 1 percent. Here are the 99ers. Here is the 99 percent down here at the bottom and the 1 percent up here. What we're saying is let's put Americans back to work with the American Jobs Act, and let's have a Fair Tax, not the George W. Bush tax cuts that gave this group even greater wealth, a greater annual income by cutting their taxes, but rather to restore that tax rate and allow that money to be used to hire the unemployed veteran.

There are 877,000 unemployed veterans. These are the men and women who fought for us in Iraq. These are the men and women who fought for us in Afghanistan. These are the men and women who came back without their legs, with their minds jumbled because of an IED—877,000 of them. Give them a chance by this group that has been so extraordinarily successful, in part, because of their own work and, in part, because of the tax cuts that they've enjoyed for the last 11 years.

Ms. SUTTON. The gentleman makes such an important point.

Here we are. We're coming up on Veterans Day. It is not enough to just go out to ceremonies on Veterans Day and express our appreciation, although that should happen. We should be expressing our appreciation to veterans, not just through those ceremonies but through our policies. We have all of these veterans out there who are returning from the current wars, and we have other veterans out there looking for opportunities. The American Jobs Act will help us to create those opportunities that they so richly deserve.

Let's be clear: the people who are fighting our wars, they are part of the 99 percent. Very few are part of the 1 percent. So it's really, really important that we do focus on giving them the opportunities, the American Dream, the fact that if you work hard and if you try hard and if you play by the rules that you'll be able to make it in America. That is part of what they were fighting for.

So I could not agree more. We've got to focus on getting help to our veterans.

Mr. GARAMENDI. Exactly.

As we begin to wrap up our hour here, Veterans Day is one week away. There are 435 of us here in this House who are representing the American people, and we have an opportunity. All of us will be out there on November 11. We'll be doing our parades, and we'll be giving our speeches about how wonderful the veterans have been in America; 877,000 of them have returned from Iraq and Afghanistan and have served this country in an extraordinary way. They're unemployed. They need a job.

The American Jobs Act will provide every employer in the United States with a $5,600 tax reduction, not a tax credit, that is, their taxes will be reduced by $5,600 for every unemployed veteran they hire. If they hire a veteran who has been wounded, one of the returning American heroes, it's a $9,600 reduction in that employer's tax.

Why are we not doing this? It's fully paid for. It's paid for with a small tax increase by those who have been so extraordinarily successful in the last decade. Why are we not helping our veterans find a job?

Because, in this House, the Speaker and the Republican Party refuse to address this issue. No hearings have taken place on the American Jobs Act that the President has put before this Congress. You can talk the talk. You can talk the talk forever. You can go home and you can talk the talk; or you can be here this week, and you can give our veterans a real opportunity. It's not just those who have returned from the war. There are veterans out there who fought in the previous wars, who served this country in Vietnam and in the first gulf war. They're unemployed or they are retired and they're receiving Social Security.

So, here on this floor, proposals have been put forth; and in the supercommittee, again proposals have been put forth to reduce the Social Security benefits, to reduce the foundation for retirement in this Nation so that the 1 percent don't have to pay their fair share of the taxes. Something is desperately wrong. Those seniors and those veterans are dependent upon Medicare for their health when we consider that it was Medicare that took more than 50 percent of the seniors out of poverty in the 1960s and gave them the health care that they needed to stay alive. Yet the proposal put forth on this floor that was voted on three times by our Republican colleagues would destroy Medicare and put every senior at risk, and those who are 55 and younger would never receive Medicare. They'd be thrown to the mercy of the private insurance companies.

Why would we ever allow that to happen? Because apparently some want to continue the tax breaks for the superwealthy.

But here we are one week away from Veterans Day—and a lot of talk. I want some action. America can't wait. These 877,000 veterans can't wait for a job. In Ohio and in California and in every other State in this Nation, this is the reality faced by veterans. This House has an obligation, this Speaker has an obligation to put the legislation before this House and to let us speak, to let us represent the people who elected us.

Ms. SUTTON, thank you so very much for joining us. You've been a wonderful

Representative of Ohio. I've watched you fight day after day to put legislation in place so that your men and women in your district can go back to work. Please wrap it up. Share with us your thoughts.

Ms. SUTTON. It is my honor and my privilege to stand up for the people of Ohio and for the veterans you were just speaking of.

I just have to say, those veterans, those men and women who were on the battlefield, they weren't just fighting for Wall Street; they were fighting for the United States of America and all that it stands for. They weren't just fighting for the top 1 percent; they were fighting for all of us. Now they're coming back, and we have an obligation. We have a promise that we have made to them, part of which would be fulfilled if we could get the American Jobs Act passed. So it is incumbent upon us to beat back.

□ 1540

We hear a lot of rhetorical terms. In the last election we heard over and over again, Oh, we could create jobs if we could get government off the backs of the job creators.

Well, look, the refrain, people don't want government on their back, I agree they don't want government on their back. But you know what? They do want government on their side. And that is not what they have been getting and that is why we have to be here, to stand up for the middle class, to stand up for those veterans, for those seniors, for those college students, for those workers, for those firefighters and those police officers, those teachers and those nurses who have suffered far less growth as, we know, Wall Street continues to flourish with record CEO bonuses and all of those profits. We just want people to pay a fair share, and we want the American people to have a fair shake.

Thank you for your leadership. You have been tremendous.

Mr. GARAMENDI. And thank you so very much for so ably representing Ohio and your constituents.

We've got work to do. We've got veterans to care for, and they need help. Americans want jobs, and the American Jobs Act is there. If we were to bring that up today or tomorrow instead of the foolish little bills that have been going on around here for the last month and a half, Americans could go back to work, and it would be fully paid for with a fair tax. We have work to do.

I ask the Speaker of the House and my Republican colleagues to give Americans a chance to go back to work. Put the American Jobs Act up for a vote; put that tax up for a vote, and let's pass it. I think we'd vote it out of here in half a moment if we had a chance. But right now we don't even have that chance.

With that and hope for the future and thanksgiving for those men and women that have been out there protecting this Nation, the veterans, young and old, able and disabled, we thank them.

I yield back the balance of my time.

BALANCING THE BUDGET

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

Mr. GOODLATTE. Mr. Speaker, this afternoon we are going to talk about a very important development here in the House of Representatives—in fact, in the entire Congress. Because of the vote this summer on the Budget Control Act, we are going to have in both the House and the Senate for the first time in about 15 years a vote on a balanced budget amendment to the United States Constitution. The last time we did this was on March 2, 1995—actually, the House had already passed it with 300 bipartisan votes, and it was brought to the Senate floor on that day. The U.S. Senate failed by one vote to send a balanced budget amendment to the States for ratification. The amendment had passed the House by the required two-thirds majority previously, and the Senate vote was the last legislative hurdle before ratification by the States.

As we know, balanced budget amendments—in fact, any constitutional amendment is voted on by the House and the Senate, requiring a two-thirds vote in each body, and then it does not go to the President of the United States, as legislation does. Instead, it goes directly to our States, and then three-quarters of the State legislatures would be required to ratify it.

If that amendment had passed, then we would not be dealing with the fiscal crisis we now face. If that amendment had passed, then balancing the budget would have been the norm rather than the exception over the past 15 years, and we would have nothing like the annual deficits and skyrocketing debt that we must address today.

The good news is that, like 1995, this Congress is again standing at a crossroads at this very moment. The decisions we make today will steer the direction of the country for the next 15 years. We have an opportunity now to take action to ensure that 15 years from today our children will face a much brighter fiscal picture. We must not allow ourselves to miss this opportunity.

Experience has proven time and again that Congress cannot, for any significant length of time, rein in excessive spending. The annual deficits and the resulting debt continue to grow due to political pressures and a dependency on government programs. In order for Congress to be able to consistently make the very tough decisions necessary to sustain fiscal responsibility over the long term, Congress must have an external pressure to force it to do so. The most realistic change we have today to enact this type of institutional reform is through a balanced budget amendment to our Constitution.

Many Members of Congress have introduced balanced budget amendments in this Congress. I introduced two versions on the first day of the 112th Congress.

H.J. Res. 2 is the exact text that passed the House in 1995 and failed in the Senate by one vote. This amendment requires total annual outlays not to exceed total annual receipts. It also requires a three-fifths majority to raise the debt limit. This legislation also has limited exceptions for times of war.

H.J. Res. 1, which I also introduced, goes much further. In addition to the provisions of H.J. Res. 2, it requires a two-thirds majority to raise taxes and imposes an annual spending cap that prohibits spending from exceeding 18 percent of GDP.

In the U.S. Senate, 47 Republican Senators—all the Republican Senators—have cosponsored a balanced budget amendment, which is a strong sign that the Senate is ready to engage in debate on this subject as well.

Our extraordinary fiscal crisis demands an extraordinary solution, so we simply cannot afford to succumb to political posturing on this issue at a point in time so crucial to our Nation's future. We must rise above that and move forward with a strategy that includes legislation that will get to 290 votes on the House floor.

So as we consider a balanced budget amendment, I encourage the Members of the body to devote our efforts to passing the strongest balanced budget amendment that can garner two-thirds of the House of Representatives. We're at a crossroads in the country. We can make the tough choices and control spending, paving the way for our return to surpluses and ultimately paying down the national debt, or we can allow big spenders to lead us further down the road of chronic deficits and leave our children and grandchildren saddled with debt that is not their own.

I have been joined by a number of outstanding Members of the House, and I am going to call upon them to offer some comments about the importance of a balanced budget amendment to them and to their constituents as well.

Since he got here first, I'm going to yield first to one of our new Members, from the State of Indiana, a great fiscal conservative, someone who believes strongly in limiting our government and balancing our budget, Congressman TODD ROKITA.

Mr. ROKITA. I want to thank the gentleman from Virginia for yielding me this time and for your leadership here in the Congress year after year over the years to see that we've come to this point where we again can have a vote in these Chambers about the condition of our country and about living within our means.

As I talk about the balanced budget amendment, I want to also address

what happened here on the House floor and what was said here on the House floor in the last hour. They used the term ''foolish'' several times. I want to describe how foolish what they said is.

Not enough dollars exist in the top 1 percent of taxpayers in this country to possibly address the debt situation we face, to possibly address our economy. There are not enough baseball players. There are not enough football coaches. There are not enough Oprah Winfreys. There are not even enough Warren Buffetts. Even if you taxed 100 percent of everything they made and assume two things, that they wouldn't leave the country and that they would continue to produce, there aren't enough of them to solve this country's fiscal problems.

So when people come here to the House floor or talk anywhere else in this Nation about how the rich aren't paying their fair share, by definition, they are going to come after the middle class. They are going to come after your property, those of us who live in the middle class. Our property being our dollars, which aren't theirs, which aren't the government's. They're ours. And that's what they're angling for; make no mistake about it.

As you may know, I happen to be a member of the House Education and Workforce Committee. A lot of talk was made here today about how we don't spend enough on our education; we have to spend more on our teachers. Let me just say this: The increase in our Federal budget for education has been well over 300 percent since the early 1970s, yet we haven't seen one bit of an improvement in our scholastic scores since the Federal Government has been involved in the education business.

□ 1550

I just find it humorous when they stand here and talk about how we need to now spend money on infrastructure, now spend money on other things that might marginally give us some more jobs. Where were they during the first stimulus when only 6 percent, almost a trillion dollars, went for infrastructure and the rest went for handouts like food stamps, unemployment insurance and other things that won't possibly grow the economy? Not to say that people didn't need help, not to say they still don't need help. But it's a falsehood to think that by giving more handouts you're going to improve the prosperity of this Nation.

You cannot tax, you cannot spend, you cannot lay debt on our kids and grandkids and expect this Nation to get stronger, expect this Nation to be better off. It doesn't work. World history is littered with examples where Nations have tried to do this very same thing; and all it has resulted in is tyranny and the opposite of prosperity.

With that, thank you again for letting me speak about the balanced budget amendment. I opposed the Budget Control Act when we had that vote at the end of July because it wasn't a solution to our debt problem; it was another Washington deal. But as I've said and will continue to admit, there was a silver lining, and that silver lining was the requirement that both Houses at least take a vote on the exact same balanced budget amendment language, and they do it by December 31 of this year.

Our Constitution is the blueprint for our system of government. Our Constitution has only been amended 27 times, and for very good reason. It's not to change with the times. It's not to change with the political winds. It's a blueprint, a document that has outlined a process, contained in it negative rights, that has given us the best system for raising the condition of all men that the world has ever seen. And so it shouldn't be amended that often or that lightheartedly, but it should be amended in this case.

This Chamber, this House, this Federal Government in general, administrations both Republican and Democratic before us, have failed in their job to have us as a Federal Government live within our means. We need a constitutional amendment to do that now. Thomas Jefferson himself even said it: ''I wish it were possible to attain a single amendment to our Constitution, I mean an additional article taking from the government the power of borrowing.''

Given our $15 trillion debt and what's coming, the red menace, the tidal wave of debt that's coming in the near future, there is a clear need for a balanced budget amendment.

Now, there are several different ones to consider. Which one should we take up? I would love to have a balanced budget amendment that contained a supermajority vote for us to even consider raising taxes in order to balance the budget. I would love a balanced budget amendment with language that contained an indication that the Federal Government cannot exceed 20 percent of GDP. That would be spectacular. In this season of football, I'd call that a touchdown pass that wins the game. But there are other plays as well. And I'll take a 50-yard pass; I'll take a 75-yard pass that gets us so far down the field on this debt issue that it puts us in a position to win the day, ''winning'' meaning we save the Republic, we keep the Republic like Franklin suggested. So I would support a clean balanced budget amendment. Clean meaning a statement that simply says we will not spend more than we take in. Our expenditures will equal or be less than the revenues we take in.

Now, some of my very good conservative colleagues would say, well, you're setting us up for one day raising taxes. That may be true. But in all honesty, that's a different fight. We can have that tax fight later. Liberals love to raise taxes because their solution to everything is a bigger government, and the only way to have a bigger government is to have a more expensive government. That will never change. So let's not have the perfect be the enemy of the good. Let's have that fight. And if once in awhile they win, we know that the people who win that fight won't be here for long. And in the meantime, we have an amendment in our Constitution that declares each one of us, as we take the oath to uphold the Constitution, ensures that we will live within our means.

I thank the gentleman from Virginia.

Mr. GOODLATTE. I thank the gentleman from Indiana for his remarks.

We are joined now by a very important member of our conference, a leader, the chairman of the National Republican Congressional Committee and a strong supporter of fiscal responsibility and a balanced budget amendment, the gentleman from Texas, Congressman PETE SESSIONS.

I yield to the gentleman.

Mr. SESSIONS. Mr. Chairman, I want to thank you today for your strong leadership and the leadership of other members of this conference for bringing forth a discussion about a balanced budget for the United States of America. In fact, the United States Congress has brought up this issue before, and it has been debated and discussed obviously since not just the time of the signing of the Declaration of Independence, but for many, many years afterwards.

Mr. Speaker, I would say to you today that every single Member of this body should recognize the times that we live in are unlike any that this great Nation has ever seen.

We find that we are in the midst of a threat of outside forces against the United States. We find ourselves in a time of war. We find ourselves in a time when we have political unrest with thousands of people encamped in our cities who are displeased with the direction that this country is going. We have millions of people, some 14 million people who are unemployed in America, some 6 million who are underemployed in this country.

We've seen out-of-control spending that has taken place from a Federal Government that is not accountable. They tax too much, they spend too much, and they listen too little. We have leaders of this country who are not honest in speaking to the American people about not only the truths of each party and what they stand for, but who I believe mislead others about the things for which they stand for themselves.

We find ourselves at a time in this country where we are faced with a $14 trillion debt that is growing every single day. In fact, if any American looks at the debt clock, they will see that it's spinning wildly out of control.

Mr. Speaker, I did not come to this body, nor probably did others, to think that they would be here to manage our demise. We come to Washington full of hope and opportunity, with the expectations to further the dreams of the American people, to further dreams for

an experience that would allow us to enrich our lives but also to leave that that would be the best for the next generation. As an Eagle Scout I grew up scouting and understanding that you should always leave your circumstances better than what you found it.

Now, I'm well aware that the President of the United States, President Obama, keeps talking about that this is a vision that he has about a direction, but there is no end in sight to the damage and harm, the carnage that is being laid to this country as a result of economic demise. But what I would say, Mr. Speaker, is there are others who have traveled down this road ahead of us, and we are watching them today and we've been watching them for years as the very fabric of their countries becomes torn apart.

□ 1600

The essential ingredients that made those countries strong, not that put them on the map, but that gave them a heritage, a meaning and a national purpose, they are now seeing with this current generation are falling apart. I would say as my message today I stand strong with BOB GOODLATTE and RANDY HULTGREN. We have Brother ROKITA here, we have SCOTT GARRETT from New Jersey, and we have even a Member from as far south as Mississippi, STEVEN PALAZZO, who are going to come forth on this floor and talk about the need for America to gather itself with discipline and strength to add to the spirit and the resiliency of the American people, that of entrepreneurship, that of tough love and hard work that will make this country stronger and better.

I stand here, Mr. Speaker, as a result of understanding, as other Members of this body that have circumstances that are very similar to mine. I have a future that I want to leave better than what I found it. I have two sons, one that's in the top 2 percent academically of students in this country, and one that is in the bottom 2 percent of students academically. And the future of this country is very important to them, perhaps more important than mine was to me.

But on my son who is in the top 2 percent academically, Bill, the future of his American Dream is being threatened because he wants to be a physician. And physician after physician, those in the health care field, are saying, Bill, don't do that. This is his dream. On Alex's side, as a Down Syndrome young man, he is faced with a sure future where he will be competing against all of us for the needs that he should have as a disabled young man that should be the mission statement of this government. Yet, the Federal Government will be incapable and unable to perform because they are trying to take on everybody, and thus they will not do their job right.

Former Senator Phil Gramm from Texas would speak about this often years ago when the same threat of a Clinton health care plan existed. Now it's the law. And Senator Gramm would talk about that, that little red wagon that is designed for just a few people that the Federal Government should get it right and support with government assistance—those with a physical or intellectual disability, those who are seniors like our parents, yes, my parents at 81 years old who have served this country so well, so honorably and deserve a chance to be in that wagon in their latter years and, lastly, those who are too poor to take care of themselves.

Mr. Speaker, this balanced budget will ensure that we try and create a mission statement with this Federal Government that is not about expanding itself to where it is not within a mission statement, but one where it is within a mission statement where we are going to require the Federal Government to do a few things and do them well, because we're not going to have the money unless we give it to them through economic growth. And with economic growth, people can have their own dreams and not depend on government.

So why we're all here today there could be different reasons. But it will boil down to this: that the men and women of this body, some of whom I have spoken about, including the gentleman from Alabama (Mr. BROOKS) who's joined us, are here for a mission and a purpose, and that is to join with Chairman BOB GOODLATTE from Virginia and say to him that we want to leave America a better place than what we found it; and we believe bankruptcy debt, misery, and loss of jobs is not the right future.

I heartily sign back up for this important effort again, which I led in '97, '98 and '99. I, once again, sign my name to that pledge. I am for a balanced budget to leave America a better place than we found it. I thank the gentleman for yielding me time.

Godspeed and good luck, Mr. Chairman.

Mr. GOODLATTE. Thank you for your good work. Thank you for your efforts on behalf of this cause.

I want to make reference to the fact that this Special Order that we're all participating in is sponsored by the House Constitution Caucus, which is chaired by Congressman SCOTT GARRETT of New Jersey. We'll hear from him in a few minutes.

But now I want to yield to another new Member of Congress who has been very, very instrumental in working on a balanced budget amendment and has made a number of good, constructive observations and recommendations about this issue, and that's Congressman MO BROOKS from Alabama.

Mr. BROOKS. I thank the gentleman from Virginia.

Mr. Speaker, America faces a financial threat of historic proportions. It has one basic cause. We suffer from unsustainable budget deficits that threaten America with insolvency and bankruptcy. We have seen what's been going on in Europe with Greece and with Paris from a few years ago, with Rome, with riots in Greece where there's even been fatalities. All of these relate to the financial stewardship of their governments.

I hope that with the remarks I'm about to share that the people of America will have a better understanding of the deficit situation we face, because given that understanding, I have confidence, Mr. Speaker, that the American people will cause Washington to do the right thing.

A little bit of history is in order. I've got a chart here, the United States annual deficits. The last balanced budget we had was $128 billion, fiscal year '01, a Democrat President, Bill Clinton, a Republican House and Republican Senate. Since that time, we've had 9/11 and we've had wars in Iraq and Afghanistan. You can see how the deficit situation became worse. George Bush as President and Republicans in control of Congress to $158 billion to $377 billion to $413 billion. All of those were bad, no question.

Notably, we have the Bush tax cuts in the summer of 2003; and, paradoxically, from one perspective across the aisle, things should have gotten worse, but they got better because our economy improved and our deficit declined to $318 billion to $248 billion to $161 billion. We were on the right path as of November 2006.

Then we had a different mindset capture the United States House and the United States Senate. We had a different Speaker of the House, a different majority leader in the United States Senate, and a different philosophy of government and a different economic philosophy that unfortunately has failed miserably.

As a consequence, after the November 2006 elections where the Democrats captured the United States Congress, we have a $459 billion deficit followed by a $1.4 trillion deficit. Then we have a change in the White House. For 2 years, two budgets, two sets of expenditures and two sets of revenues were totally controlled by the other party, my colleagues across the aisle. In FY10 and FY11, the fiscal year that we just finished, we had back-to-back $1.3 trillion and $1.3 trillion deficits.

Ladies and gentlemen, these deficits were bad. These are unsustainable trillion-dollar deficits as far as the eye can see, and they're a great risk to our Nation. To put it into perspective, that's $2.3 trillion in revenue last year, $3.6 trillion in expenditures, a $1.3 trillion deficit, and a $14.3 trillion accumulated debt. With what happened with the Budget Control Act in August of this year, a bill that I voted against, the debt ceiling was increased by $2.4 trillion such that it will soon hit a $16.2 trillion debt burden in 2013.

Now, I mention trillions, and people's eyes often start to glaze over, Mr. Speaker. Let me put it down in a family sense where hopefully the American

people can better understand it. Think in terms of a family that's uncertain about their income. So they go over their finances, and they discover that over the last 3 years they've averaged $50,000 a year in income—not too bad. And then they look at their expenses, and they've been averaging $80,000 a year in expenses. That's scary to them, and it should be. They've been in the hole 3 straight years for $30,000 a year. Then they pick up their Visa bill, and it's for $320,000.

Now what do you think that family would do? Well, they'd cut their spending and they would try to balance their budget in order to avoid bankruptcy. Those analogies are exactly the same as that of the United States of America—those ratios.

□ 1610

We have to have a balanced budget constitutional amendment, I submit to the American people, Mr. Speaker, because that is the only way Washington will have the backbone to do the right thing, to protect future generations from the risk of insolvency and bankruptcy that we in America face today.

So I wholeheartedly endorse the efforts of Representative GOODLATTE and all the other members of the Constitutional Caucus who have been working so hard to come forth with a substantive, effective, and enforceable constitutional amendment that can help save our children and grandchildren from the seriousness of the financial situation that we in America face today.

As for me, Mr. Speaker, I will do my utmost to support a balanced budget constitutional amendment. I will do my utmost to ensure that it is an effective constitutional amendment, that it's not a dog and pony show, that, in fact, it will achieve the desired result.

I thank the gentleman for yielding.

Mr. GOODLATTE. I thank the gentleman for his very passionate support of the cause of fiscal responsibility.

As I mentioned earlier, this Special Order is being sponsored by the Congressional Constitution Caucus. And it's now my pleasure to yield to another great champion of limited government and lower taxes and less government regulation and balancing the budget, Congressman SCOTT GARRETT of New Jersey.

Mr. GARRETT. I thank the gentleman for not only managing the floor tonight with regard to this conference, but also with regard to all your great work with regard to trying to push forward the BBA, making sure we get over the goal line this time.

As the chairman and founder of the Constitutional Caucus, we rarely come to the floor to advocate for an amendment to the Constitution, but that's exactly what we're doing here tonight. It brings us here tonight because the United States Government has what? Just as the other speakers have said, overspent, overborrowed, and overtaxed, putting this Nation on the road to fiscal ruin. Yet, as much as that is true, there are many who believe that the solution going forward is even more of the same: more spending, more borrowing, more taxation. And only here in Washington, DC, could that ever be given serious consideration.

American families are not given that luxury. American families have to do what? They have to live within their means or face fiscal disaster in their family pocketbook. So, too, here in the United States Government we should live within our means as well; but unfortunately, today, as you saw the previous chart and previous speaker, we have been incapable of doing that. And that is why we're here tonight because we know we must force ourselves to do so through a balanced budget amendment.

Now, step back. Amending the Constitution is a difficult process. It should not be entered into lightly. The process reflects the Founders' commitment to republican self-government while protecting what? The integrity of the supreme law of the land.

And so in the spirit, then, of the Founders' vision for an amendment to the Constitution, we support tonight a balanced budget amendment as the only solution to excessive and irresponsible spending that we've seen go on for far too long. And yet we hear from the other side of the aisle and the other House—Senate majority leader called the balanced budget amendment a radical new idea. But how radical is it really? Radical? Well, 49 States in this country have some form of a balanced budget amendment, and they realize they must abide by it to live within their means.

A new idea? Well, indeed, Thomas Jefferson is the intellectual forefather of the balanced budget amendment. So we can go back some 200 years. Back in 1798, when Jefferson wrote to Virginia Senator John Taylor that the solution to then-extravagant spending was a constitutional amendment eliminating the power of the Federal Government to incur debt, he went on to say:

I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government to the genuine principles of its Constitution; I mean an article, taking from the Federal Government the power of borrowing.

Now, the balanced budget amendment is the Jeffersonian solution, therefore, to today's debt crisis. And yet, when you think about it, the amount of spending and overspending that they had in Jefferson's time pales in comparison to the reckless spending that we have today and the reckless and fiscal ineptitudes that we see going on in Washington.

According to CBO, the Congressional Budget Office, the government will spend nearly—get this—$1.5 trillion this year more than it takes in. And if we refuse to balance our budget, as your amendment would do, what will happen over the next 10 years? Almost $9.5 trillion in additional red ink will be added to the bottom line.

So, in conclusion, the choice I think is clear: Either we continue down the same road with blissful disregard of the warnings of financial catastrophe that we've seen, or we do what? We amend the Constitution to require a balanced budget and put the United States back on the road to sustainability and also prosperity.

So let's make the balanced budget amendment the 28th Amendment to the Constitution.

Mr. GOODLATTE. I thank the gentleman from New Jersey, and I like the sound of that 28th Amendment to the Constitution.

Let me just say that, as I mentioned at the outset, because of the vote by the Congress—the House and the Senate—signed into law by the President, we will have a vote in both the House and Senate on a balanced budget amendment before the end of this year, before December 31. And if either body passes a specific balanced budget amendment, the other body has to vote on the same one so that we have the greatest possibility that if we can reach that kind of consensus, we can actually send a balanced budget amendment for the first time to the States for ratification. It would require 38 States to ratify it. But as the gentleman from New Jersey just noted, 49 out of 50 States have a requirement in their constitution that they must balance their budgets.

I believe that with the public supporting this by numbers northward of 80 percent—and it's very bipartisan support. I saw a recent poll that showed that 74 percent of Democrats support this, as do a great many Democrats here in the House. In fact, to pass a constitutional amendment with 290 votes, it has to be bipartisan. So we are working across the aisle to make sure that we build the kind of support that we need to pass the strongest possible amendment to our Constitution requiring that the government lives within its means.

I yield to another great supporter of that concept, another new Member who came here to reform the way things are done here in Washington, DC, and who has joined us in this effort, the gentleman from Illinois, Congressman RANDY HULTGREN.

Mr. HULTGREN. I want to thank my good friend and colleague for the amazing work that you've done over the years fighting for structural change in how Washington does its business. Thank you, Congressman GOODLATTE, I really appreciate it. I appreciate the opportunity to be able to speak for a couple of minutes today.

Mr. Speaker, since the people of the 14th Congressional District of Illinois sent me to be their Representative in Washington, DC, last year, I have fought to bring accountability and responsibility back to Congress. Time

and again, I voted to cut spending and reduce the size of Federal Government, and I haven't been shy about going against and opposing colleagues from the Republican side of the aisle when I felt like they weren't doing enough to get our fiscal house back in order.

With every vote, I'm guided by the belief that Washington, like our families and small businesses across the country, needs to live within its means. I know that the path to renewed and future prosperity lies through a return to fiscal sanity and not by saddling our kids and our grandkids with more debt.

Our job-creating bills—that have been sent over to the Senate and are stuck in the Senate right now—along with less spending and less debt will help give small business owners and job creators the confidence they need to hire and expand, putting Americans back to work again and getting our economy moving again.

Unfortunately, this Congress' efforts to cut spending are, on their own, insufficient. More importantly, any cuts we make today could be reversed by future Congresses. Long-term deficit reduction and spending restraint can only be accomplished through real structural changes to the way that Washington operates. And I believe, as many of you do, that a balanced budget amendment to the Constitution is exactly the change that we need.

I have been an outspoken advocate for a balanced budget amendment even before being elected, and one of the first things I did after being sworn in was to cosponsor a balanced budget amendment. A balanced budget amendment would force the Federal Government to spend only what it takes in—a novel concept—but it is the surest path to fiscal sanity, less spending, and a brighter future for our kids and our grandkids.

Support for the balanced budget amendment is gathering momentum in Congress and across this great Nation. In fact, as Congressman GOODLATTE said, the House and Senate are required to vote on a balanced budget amendment very soon. But Congress has been here before. In 1995, they nearly passed a constitutional amendment mandating a balanced budget amendment but fell one vote short in the Senate. Imagine the difference of this Nation if that would have passed at that time than the situation that we're in right now. Sixteen years later, we have the chance to finally get it right.

The time is now. It is our responsibility and our duty to support a balanced budget amendment and bring accountability back to Washington.

Mr. GOODLATTE. I thank the gentleman. I very much appreciate his comments and would note the fact that we have, speaking here tonight, Members from many corners of the country: Indiana, Alabama, Texas, Illinois, Mississippi, Wisconsin, New Jersey, and Virginia.

□ 1620

In fact, Members of Congress from about 46 or 47 States have indicated their support for at least one version of the constitutional amendment. If we can bring all of them together, and they can bring just a few more Members together, we can get to that 290 votes, because this is not a regional issue, this is not a partisan issue.

This is an issue that transcends the country. It's reflected in the fact that this is an issue we can communicate directly with our constituents about, and they understand exactly what we're talking about because they live with the concept that they can't spend more than they take in year after year after year. The businesses that they work for, they can't spend more than they take in year after year after year. Local governments, State governments are all bound by this principle that you cannot live beyond your means. That principle should be enshrined in the United States Constitution.

I yield to another Member who joins us in this effort, another new Member—and it's the new Members who have helped to bring this issue back to the fore, who really want to see a vote on this for the first time in 15 years—Congressman REID RIBBLE from Wisconsin.

Welcome.

Mr. RIBBLE. Thank you very much. It is an honor to come down to the floor of the House and work with you, Representative GOODLATTE, on this very important issue.

Mr. Speaker, I rise today to talk about the balanced budget amendment. I came down to the floor of the House this afternoon with some prepared comments, spent some time putting it together and wanted to make sure that it was right, had help from my staff, but I'm going to go a little bit off script today.

As I've listened to my colleagues speak on this very important issue, they've covered much of what we want to say with the historical context, with what Thomas Jefferson, our Founder said, what Abraham Lincoln talked about—about government being by the people.

Instead, I think I'm going to talk about my experience here in Congress. As my friend just mentioned, I'm a new Member. As a matter of fact, right around this day today I've been here 10 months. I've never served in Congress before, never served in an elected capacity before. I ran a small roofing company in Kaukauna, Wisconsin.

I have to tell you that I'm struck that we're at this place in history. When I look at our national debt, and you look at it on a chart and on a curve from 1787 to 2011, from about 1787 to 1940, 1945, that line is almost indecipherable from zero. Then as you go on and you get to the late 2000s, that line begins to turn up. And now in the last 3 years, that line is nearly vertical as our national debt continues to explode. And that debt has to be paid.

I've told high school students and college students back in Wisconsin where I'm from that there's a reckoning coming for them. There will be a date and time certain that this bill will have to be paid.

And yet, as I've worked here I've just discovered that, for whatever reason, whether it's partisan bickering or pure ideological differences, that we cannot, it seems, find agreement on controlling our national debt and our deficits, annual deficits.

Just a few years ago the deficit was only $160 billion. As we heard from my colleague from Alabama, the last 3 years it's been over $1 trillion each and every year. Something clearly has changed, and we would like to say that it's changed in our economy. I would propose to you, sir, that maybe it has changed in our government.

At some point, I call on my colleagues on both sides of the aisle, my friends that are Republicans and Democrats alike, it is time to put the sword down. We cannot, in fact, Mr. Speaker, we must not allow this type of spending to continue so that our children, my grandchildren, your children and grandchildren, will have to pay this bill, a bill that they did not make and a bill that they should not owe.

So I stand before you today challenging my colleagues to consider a better path forward, one that we use in our families, one that we use in our businesses, one that 49 States use in their State governments, and that is a balanced budget amendment to the United States Constitution.

Just the other day I was standing right over where my colleague was and is standing right now, and I had a copy of the Internal Revenue Code. It's nearly 10,000 pages of fine print. An amendment to the Constitution will be just a few words, and it's a simple thing.

But most importantly, the amendment to the Constitution that would call for a balanced budget allows the American people, not just through their Representatives here in Congress, which we clearly have seen is not going to solve the problem, but allows the American people to finally have a say through the ratification process.

I had a telephone town hall recently, Mr. Speaker, with 15,000 Americans on the line. I did a poll and I asked them, how many of you would support a balanced budget amendment to the United States Constitution requiring the government to live within its means? Over 80 percent of those respondents said that they would support this.

I want you to know, Mr. Speaker, that millions of families and businesses every day live under the constraint of a balanced budget. As a father, as a former small business owner, and now as a Member of Congress, I have a different perspective on this whole thing, and the perspective is that we must, must move forward with this.

As a father, I tried to teach my children the value of hard work, the importance of saving for the future and not

spending more than they earn. As a business owner, I operated my company that same way. And now, as a Member of Congress, I recognize that these ideas that many of us, I would dare say the majority of Americans, hold true, is just as good for their government. And so if a balanced budget in your family, in your business, in your church and in your community and your State makes sense, it clearly makes sense here.

The reckless spending will never stop, I believe, without it. There will neither be the political will nor the courage to do so. Since Washington has proven itself incapable of doing this job, it's time that we let the people, the citizens of America have a voice so that they can force their government to act responsibly.

I call on my colleagues to pass a balanced budget amendment to the United States Constitution through this Chamber, the United States Senate, and then send it back to the people, where they will finally have their voice heard.

Mr. GOODLATTE. I thank the gentleman for his comments.

As I indicated earlier, this is an issue that has to have a bipartisan solution. It simply is not possible to pass constitutional amendments that require two-thirds of the House, or 290 Members, and two-thirds of the Senate, 67 Members, without Members reaching across the aisle and working together to come up with language that is agreeable and can be supported on both sides of the aisle.

And quite frankly, the nature of the problem that we are confronted with is one that past Congresses controlled by both parties, Presidents of both parties have contributed to, and the solution is going to have to require also that same kind of bipartisan working it out on a year-to-year basis balancing the budget.

It won't be easy. There will be tremendous differences of opinion about whether we should do this by cutting spending or raising revenues, or doing other things that can grow our economy and cause more revenues to come in. But it cannot get to the first stage of having future Congresses live by this without it being bipartisan. That's why I'm so pleased that so many members of the Democratic Party have signed on to support this effort. They've been led by an outstanding Member who has championed a balanced budget amendment for a long time, and that's Congressman PETER DEFAZIO from Oregon.

I yield to the gentleman.

Mr. DEFAZIO. I thank the gentleman for yielding, and I thank him for his leadership on this issue over almost a couple of decades. It's been a long struggle. I hope the time is here.

I was one of 73 Democrats in 1995 to support a balanced budget amendment which was basically silent on the issue of whether we would get there with additional revenues and reforms that would raise revenues, or with spending cuts, or a combination of both. Ultimately, in the nineties, by a combination of revenue increases and reforms and spending cuts, we did reach a balance in the year 2000, and actually paid down debt. And had we passed that amendment in 1995, we wouldn't be looking at a $14-plus trillion mountain of debt today.

As the gentleman before me spoke, that's not the legacy that I want to leave to our kids and grandkids and great-grandkids, given the magnitude of that debt. We have a responsibility to act, and anyone who is observing Washington these days can see that it's hard, it's really hard for Congress to come together and decide on issues that are extraordinarily important to our Nation.

□ 1630

We really need a little bit of forced discipline, I would say; and that's the way I look at a balanced budget amendment, that H.J. Res. 2 would force us over a relatively short period of time to make very difficult decisions on, yes, the potential for revenue increases or spending cuts with virtually everything on the table to get to a mandatory balance of the budget within a short period of time.

Then to begin to pay down the debt, which will take, if we aren't running surpluses and we merely balance the budget into the future, including our payments of interest and principal on the debt, it will be some 30 years before our country could be debt free.

But that would at least be a point in time in which we knew that our grandkids and others to follow would not be inheriting that debt.

So I'm very hopeful that when we have a vote some time, I understand, perhaps in the next month, that we have an opportunity to bring up what I believe is the version of the balanced budget amendment, most likely to be able to engender a majority as it did in 1995, and that would be H.J. Res. 2.

With that, I thank the gentleman for the time, and I look forward to continuing to work with his leadership on this issue.

Mr. GOODLATTE. I thank the gentleman.

In the next few weeks, as we anticipate a vote coming up quite soon, we have a lot of work to do to make sure that we are giving every Member of this body an opportunity to speak out for fiscal responsibility and not just speak but put their vote on the line and say, yes, we think we should send to the States an amendment to the Constitution to require a balanced budget.

We are also joined by another new Member who has been a very strong advocate for cutting government spending and having government operate more efficiently and believes strongly in requiring that our government do what everyone else in our society has to do, and that is live within its means, balance its budget, and that's Congressman MARLIN STUTZMAN from Indiana.

I yield to the gentleman.

Mr. STUTZMAN. Thank you, Mr. GOODLATTE, and thank you, Mr. Speaker, for the time that we can come to the floor and talk about this important issue.

I think it's an opportunity for us here in Washington to do something that changes the direction of our fiscal condition in Washington, D.C., and our Federal Government.

As we all know, the economy has been very difficult for families across this country in so many different ways. And people have realized and have made tough decisions within their own budget, whether it's a family budget, whether it's a business budget, and realize that the economy and the difficulties that we face today are forcing decisions to be made that are sometimes difficult, are not sometimes the choices that we'd like to make.

But as the Federal Government continues to spend and spend money that we don't have, money that we're borrowing—40 cents for every dollar that we spend is borrowed money—I believe that this is a time for us to let the people speak, let the American people speak on an issue that is a principle that is so foundational for our family budgets, our business budgets, what should be a very basic principle for our government in the way that we operate, and that is a balanced budget amendment.

This is a historic opportunity. It could also have historic consequences. I believe that if we do not rein in Federal Government spending and save the American Dream, we will, in effect, determine the future of our great country. It is just very simple, and I believe that as we take this time to talk about the balanced budget amendment, whatever version people support in this Chamber and across the Hall in the Senate, I believe that we have to have some basic principles, basic concepts that we can all agree on.

How can we not agree on saying that every year Congress passes a budget it's going to be balanced? It is just common sense.

I come from a State that has a balanced budget amendment, Indiana. And we have a balanced budget. And now I know the temptations that have come across the State legislature in Indiana to pass budgets that are out of balance.

But if we have that anchor here in Washington that says we have to pass a balanced budget, that we cannot continue to borrow and spend, that is what's going to keep Washington in check.

Our Constitution is the bedrock of our experiment in self-government. It is a remarkable document. Libraries have been written on its importance and its legal application, but we cannot forget that the wisdom our Founding Fathers built in the Constitution is timeless and they're very simple truths.

People give the government its power is one of those. Government exists to protect our God-given rights. Men are not perfect, so neither is our government. So it must be limited, checked, and balanced.

Our great Nation rests on these principles. If we still believe in those principles, we must recognize another simple but profound truth: good government must live within its means.

So that's why I believe the balanced budget amendment to our Constitution is crucial at this time. When we face $15 trillion of debt, we're handing off and saddling our children and every person in this country $48,000 of debt per individual. Unemployment has held steady at historic high rates. Confidence is declining, and Washington, like a spoiled child, continues to talk about tax increases and stimulus programs that just do not work.

I believe we owe it to our generation, to future generations, to pass a balanced budget amendment to our Constitution that requires the Federal Government to live within its means just like every American family and just like businesses across this country that are going to move this economy forward.

I thank the gentleman from Virginia for his efforts with the balanced budget amendment, and I am proud to stand here today and support it; and I believe this is a great opportunity for Congress to stand with the American people. This is our opportunity, and we must not fail.

Mr. GOODLATTE. I thank the gentleman.

I have to say that we've seen support from all across the country, from east coast States like New Jersey and Virginia all the way to the west coast to Oregon. We've heard from Members of both parties, we've heard from Members from States along the Canadian border, and Members from States on the gulf coast.

This amendment has broad, broad support in the Congress, but it has a high hill to climb in needing 290 Members to vote for it. We're continuing to work to find that support. It's not a new idea. It's been around for almost as long as our Constitution.

Thomas Jefferson has been cited, and I'll read that again here. He said, ''I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our government. I mean an additional article taking from the Federal Government the power of borrowing.'' He said that in 1798. That's the only thing he said.

Later in his life he said, ''There does not exist an engine so corruptive of the government and so demoralizing of the Nation as a public debt. It will bring on us more ruin at home than all the enemies from abroad against whom this Army and Navy are to protect us.'' Thomas Jefferson said that in 1821.

And about our future generations, which several Members have commented on here tonight, Thomas Jefferson said in 1789, the year that our Constitution went into effect, ''Then I say, the Earth belongs to each of these generations during its course fully, and in its own right. The second generation receives it clear of the debts and encumbrances of the first, the third of the second, and so on. For if the first could charge it with a debt, then the Earth would belong to the dead and not to the living generation.''

Thomas Jefferson wrote that to James Madison in 1789, and how prescient was that as our new Nation was starting work under a new Constitution that he would observe that we are where we are today where we are passing on to future generations debt that is unsustainable.

How ironic it is that we borrow money today to pay for programs today and put that burden on the backs of our children and grandchildren and those not yet even born with the likelihood that if we do not change from this course, we will find that those very children and grandchildren will not have these programs when they need to depend upon it. They will only have the debt.

□ 1640

This is what Thomas Jefferson meant when he said the Earth would belong to the dead and not to the living.

Finally, let me give you one more quote:

''To preserve the independence of the people, we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty or profusion and servitude.''

Mr. ROKITA. Just a quick note to the gentleman from Virginia.

As we're talking about ''why this hill''—and I think you mentioned the hill being so high and so hard to climb—there might be people at home watching right now, maybe even some in this Chamber right now, who are wondering: Why would this be so difficult? We had others come up and say they had a telephone town hall where over 80 percent of their constituents were in favor of this. Why is this so hard?

We have to think of it this way:

There are two groups of constituents, and we can't appease both sets all the time. There is a constituency that's the here and now that will ensure that, if we do things they want, they'll give us another election; they'll let us serve longer. Yet there is another constituency that doesn't even exist yet. No matter what we do, we won't be around for them to reward us. I would just suggest that everyone here in this House of Representatives serve that latter constituency: our kids, our grandkids, those who don't even exist yet. Vote for them to make sure that we keep the Republic.

For those of you who are watching, make sure you tell your Representatives, Hey, I want you to vote, not for me, not so that I can have more on my plate now; I want you to vote for our future.

If the people of this country demand that of their Representatives and their Senators, we will keep the Republic as Franklin demanded.

Mr. GOODLATTE. Mr. Speaker, that's an excellent note on which to close.

I want to thank the gentleman from Indiana and everyone else who has participated and the other gentleman from Indiana.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PALAZZO). Members are reminded to address the Chair and not the viewing audience.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2930, ENTREPRENEUR ACCESS TO CAPITAL ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 2940, ACCESS TO CAPITAL FOR JOB CREATORS ACT

Mr. SESSIONS, from the Committee on Rules (during the Special Order of Mr. GOODLATTE), submitted a privileged report (Rept. No. 112–265) on the resolution (H. Res. 453) providing for consideration of the bill (H.R. 2930) to amend the securities laws to provide for registration exemptions for certain crowdfunded securities, and for other purposes, and providing for consideration of the bill (H.R. 2940) to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D, which was referred to the House Calendar and ordered to be printed.

MEDICAL TECHNOLOGY CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Minnesota (Mr. PAULSEN) is recognized for 30 minutes.

Mr. PAULSEN. Thank you, Mr. Speaker.

For the next few minutes, some of us who are members of the Medical Technology Caucus are going to share some of our thoughts about some of the recent troubling developments that are threatening this American industry. I will tell you, as cochair of the Medical Technology Caucus, in Minnesota, I get a chance to tour these companies. We all know the big names of the big titan companies; but nearly every week, I get a chance to tour one of these small companies that might have five employees, that might have 10 employees—companies that are not yet profitable.

They're working on these really innovative and neat technologies that are there to help patients improve their lives and save their lives. In fact,

Mr. Speaker, from 1980 to 2000, the medical technology firms were responsible for a 4 percent increase in U.S. life expectancy, a 16 percent decrease in mortality rates, and also an astounding 25 percent decline in elderly disability rates. I think, as we'll hear from some of our colleagues, particularly from the Indiana delegation, which is where we were just about a week and a half ago, we're learning there are some new hurdles on the horizon.

Number one, there is a medical device tax that will be imposed in just a little over a year. It's a $20 billion tax, and studies have shown it's going to cost the industry about 10 percent of their workforce. It's about 43,000 jobs that will be at risk. In fact, I just met with an owner of a company today who mentioned that he believes this excise tax, if put in place 1 year from now, will cost his company at least 50 high-paying jobs.

Then you have the other issue of just an FDA that has become so bureaucratic, so unpredictable, so inconsistent, and so nontransparent that it's becoming more difficult for these companies to bring these lifesaving technologies to market to make sure that the patients have access to them.

I have traveled the country—to California, to Boston, to New York, and we'll have a chance to go to North Carolina—where these pockets of industries in the medical technology field are really strong and vibrant. One area in particular was Indiana.

We were there just a little over a week and a half ago, and I will tell you, of the folks who testified there—the companies and the presence there and the jobs there—it was compelling. In fact, I'll never forget the words from one of the testifiers there at the committee when he mentioned, when he gets asked for advice on where to invest, on where to start up, that his advice to new companies is, Go to Europe. Go to Europe.

That is the wrong message.

Mr. Speaker, in this down economy, when we are trying to save jobs, when we are trying to encourage job creation, we're encouraging one of our best American success stories, one of our few net exporters, to move overseas.

We've got legislation that's actually moving forward now. Many of these members are coauthors of not only repealing the tax but also of streamlining and modernizing the FDA to make sure we're doing what Europe is doing, for instance, and to make sure we don't have as high a hurdle. We want to make sure there is a strong, relevant, rigorous process at the FDA because these companies want the gold standard. They want the gold standard of approval, but they don't want the goalpost moved in the middle of the process to make it so ridiculous that their investments are not going to be worthy of the risk/reward that they hope to have pay off.

When we were in Indiana, we had a bipartisan gathering of Mr. ROKITA, Mr. YOUNG, Mr. STUTZMAN, and Mr. DONNELLY who were there, along with Representative GUTHRIE from the Energy and Commerce Committee. They took the time to come out, to listen to these companies that testified and also, more importantly, to listen to the patients. We had a patient testify as well, Sheila Fraser, who is a young high school student who was testifying about a device that was implanted in her leg. It truly is an amazing success story because, in a lot of cases, folks like her have to have amputations, and this is a device that is now improving her life.

So I think, as much as we like to talk about the jobs and the economic benefits, it's also just as important to hear it from the patients' perspectives as to how these lifesaving technologies are helping them and how these life-improving technologies are helping them.

As I mentioned earlier, we've been to California, and Mr. BILBRAY is going to talk in a little while. This is an industry that covers many spectrums of the economy across the country. So I just want folks who are watching out there in America to understand there are some of us who really care about this industry. We're fighting for it, and we appreciate the input and dialogue that we've had as a part of that.

With that, Mr. Speaker, I want to first yield to the gentleman from Indiana (Mr. ROKITA), who has been a leader already on this issue and has helped us get coauthors to repeal that onerous innovation tax.

Mr. ROKITA. I thank the gentleman for yielding. I also thank the gentleman for his leadership.

We were pleased to welcome you to Indiana, and I know you get that same kind of welcome all over the Nation.

The gentleman from Minnesota, I think, has done an excellent job in making sure that this issue not only was formulated the right way, not only was formulated in a bipartisan way, but is now on the verge of going through committee and coming to the floor so we can take action.

What action are we speaking of?

There is an insidious tax that was put in the new health care law, a law colloquially referred to as ObamaCare. It is a 2.3 percent tax on innovation. I often get asked in Indiana's Fourth District and in other places around the State: How do we stay competitive? Why are you letting jobs go overseas?

I am the first to point out that to succeed in this country, to succeed in this Nation, if we are to be prosperous—to maintain and increase our prosperity in the 21st century—we have got to stay a step or two or five ahead of our competition. In Indiana, we're not competing with people in Fort Wayne or in Jeffersonville or in Terre Haute. We're competing with people from places that we can barely pronounce, meaning not in the United States. No country was ever ultimately successful by building a wall, whether it's a physical wall like we found in ancient China or an economic wall like we see with tariffs or, in this case, with taxes on companies and on an industry that continues to innovate, that continues to keep us on the cutting edge of what the world is doing in this area. That's important. That is the key to our success.

By taxing these devices, by taxing this industry, you're not going to get more of it; you're not going to get more innovation. You're going to get less. If you want less of something, you tax it. By the way, when you do that, you're not even going to get more revenue to pay for that all-inclusive, government-run, bureaucrat-interpreted health care system.

□ 1650

I'm really pleased to be a cosponsor. I continue to learn on this issue. I learned a lot from the field hearing that was done.

I would like to echo the point that was made: This was a bipartisan hearing. Just like in the last hour, we saw in a bipartisan way that we have to live within our means, and we can do that through a balanced budget amendment. We had Democrats come to speak on that.

At the field hearing we had on the repeal bill of the medical device tax, we had that same kind of bipartisanship. Bipartisanship does exist. It exists in Indiana. And with this bill, it can exist here on the House floor as well.

I was alarmed as well. The person testifying was Steve Ferguson from the Cook Group. Mr. Cook, when he started his company, he started from a spare bedroom in his apartment and grew it to a multibillion dollar operation. He is one of the best examples of an American success story. And his partner, Mr. Steve Ferguson, who testified—I will back up Mr. PAULSEN in this—said, when new startups come to him, when young men and women come with an idea and want to start a company, he says, go to Europe. Not because he isn't a true-blooded American patriot, but because he's giving honest advice.

Now what does that say about our Federal Government? What does that say about our bureaucracy when, instead of going through the FDA approval process, the best advice is to go through the bureaucracy of a union of countries that can barely stay afloat because of the debt they're incurring? Where does that put us in a 21st century world? Where does that put us in terms of our ability to continue innovating, in terms of our ability to be prosperous?

We have got to put the swords down, as it was said earlier. We have got to come together and realize that it's that innovation, it's that economic freedom, it's that liberty to associate and provide an equal opportunity for one's own success that has made us the best and most successful experiment in self-governance that the world has ever known

and, as a result, has kept us on the cutting edge of profit-making innovations that employ people, that keep taxes low, where we've proven time and time again that the way to success is doing the opposite of levying a tax, by letting individual men and women rise and fall on their own decisions. That's what this medical device bill does.

Thank you for sponsoring this time, Representative PAULSEN. It's been an honor and a privilege and a pleasure to work with you.

Mr. PAULSEN. I thank the gentleman again for his leadership. I just want to mention too, you had mentioned all the authors of this bill that are trying to repeal this onerous tax. There are actually 204 Members now, Mr. Speaker, that want to repeal this tax, bipartisan support. The amount of money this tax is expected to raise is actually equal annually to the amount of money that's invested in the industry every year. So it is a very wrong-headed move.

One of the first coauthors of this bill that would repeal this tax and who, I think, recognizes the importance of this industry is my friend and colleague from Pennsylvania. I yield to him and thank him for his leadership and for being a part of the caucus effort.

Mr. ALTMIRE. I thank the gentleman from Minnesota. I can't think of anybody in the Congress who has done more for medical innovation, his leadership on the medical device tax, on FDA reform issues, than Mr. PAULSEN. It's an honor for me to be here tonight to discuss this issue before the House.

What we have done in a very strong and forceful bipartisan way, which is critically important and something we don't do nearly enough of in this Chamber, is to send a message that we want to protect the medical device industry in America. The innovations that are created in this country are second to none. The way that we handle the FDA process could be improved, and we are going to talk about that shortly.

But with regard to medical device issues in particular, I'm fortunate that the district I represent is home to a number of large and small medical device manufacturers that are doing great work right here in America, producing medical devices that we rely on in this country, that millions of Americans depend on.

And when we last year, in the last session of Congress, went through the debate and eventually passage of the health care reform bill—which I voted against—one of the issues that was in there was the medical device tax, which seemed pretty arbitrary. They were looking for sources of funding. They were looking for ways to make the bill come into balance. And one of the industries that they targeted for the tax was the medical device industry. I believe very forcefully that it was shortsighted. I think it was something that should not have been done. That's an industry that we have international leadership on in this country. It's an industry that millions of Americans have an everyday benefit from.

What we did was say, Well, you look at the portion of overall health care costs in the country that that industry represents, and you are going to create a tax that's going to pay for approximately that portion of that industry to go towards the health care bill. I didn't think it made sense then. I don't think it makes sense now. What I want to do, along with the gentleman from Minnesota and the other 202—the total of 204 cosponsors of this legislation—is just put common sense back in place to say, we want to continue to have those innovations take place in America, not in other countries; to continue to show the worldwide leadership that we have shown and to continue to allow American citizens to benefit from the great work that's being done across the spectrum, large and small, of medical device manufacturers in this country.

So the $20 billion cost that's associated with this tax is just the tip of the iceberg. We're going to lose a lot more than just the cost of what it's going to take to pay that tax if you're in the medical device industry. We're going to lose the innovation. We're going to lose the talent because we're competing with other countries for the top talent in the world, and where individual people want to reside when they undertake research and development of new drugs, new pharmaceuticals, and also new medical devices. This tax is absolutely the wrong thing to do, and I strongly support the gentleman's effort to repeal the tax. We're going to talk later on, and I'm going to join the discussion on FDA reform and some of the things we're doing, working together, but this medical device tax, the reason it has attracted bipartisan support for the repeal is because it makes no sense. It's burdensome, and it's absolutely the wrong thing to do.

Mr. PAULSEN. I thank the gentleman again for his leadership and for really standing up for Pennsylvania companies and understanding this is an American success story, as he outlined. He is actually a coauthor of some bills that are there to streamline and modernize the FDA, which we will talk about in a second as well.

We also have my friend, the gentleman from Indiana, here as well. Mr. STUTZMAN, I think you were at the hearing. Maybe you could share some of what you learned from the hearing in Indiana.

Mr. STUTZMAN. I thank the gentleman from Minnesota. It was a great day for us because of the things that we learned from those folks who testified at the hearing there in Indianapolis.

Those of us in Indiana, we love racing, we love agriculture, we love manufacturing. But we also have an industry there that we are very proud of and is one of the emerging businesses for the world. The orthopedic industry has $36 billion worldwide in revenue. And I am fortunate enough to represent Indiana's Third Congressional District, which includes the city of Warsaw and the areas surrounding Warsaw, which is the orthopedics capital of the world.

I can tell you, you hear a lot of the great stories about racing from Indiana. There are also great stories about companies that started in apartments or in a garage from folks in Indiana in this particular industry. It's an industry that I believe is so beneficial to people in a personal way. I can tell you myself that my grandmother had two of her hips replaced. And that is the industry that we are talking about; knees, joints, hips, other parts of our body that can be replaced to increase the quality of life that we enjoy.

□ 1700

My grandmother had her hips replaced, and I know what it did for her. This industry was really started about helping people and increasing the quality of life that people have. We had a young lady there, Sheila Fraser, who the gentleman from Minnesota mentioned. What a great story. What an amazing young lady. She is a senior from Mishawaka, Indiana, who had a knee replaced because of cancer in her bone. They can take this particular device and extend it. As she grows taller, as her body grows, they can adjust this particular device inside her leg as she continues to grow. It's amazing technology, and that's why it's so important for us to protect this industry, to do no harm to the industry because it's growing fast. At a time when America is facing high unemployment rates, this industry continues to grow. These are high-paying jobs.

I know it is a huge benefit to the part of Indiana that I represent. The jobs that are created, these are jobs that pay well and the type of jobs that we want to keep right here in America.

As we talked about this tax, it is going to be a burden on these businesses and on these jobs. I can tell you already after talking to the folks in northeast Indiana at these businesses that there are other countries like China. China has a growing population. You have other countries that are starting to advance in bioscience, and this is why it is so important for us to make sure that we don't affect this industry in a way that it will start looking to other countries like China or India, other places around the world. Europe, obviously, is already a mature market. China is an emerging market, and they want these particular devices built there. If we build them here, we can export them to countries like China, and they can be buying American-made products from companies and people who live in my community where they are building these particular devices.

As was mentioned, 204 Members of the House of Representatives are signed on to the repeal of this tax

which I believe is a great number, almost a majority. I would urge our leadership to bring this bill forward to the floor for a vote because we know if this tax stays in place, these companies are going to start looking elsewhere because this is a huge burden upon them.

I thank each Member who was at the hearing in Indianapolis. We saw some fantastic, amazing things that are being developed. And if we can keep government from hindering this type of technology, this type of growth, we're going to lead in new ways in manufacturing. We have the automobile industry and the steel industry. This is an emerging market that will continue to grow as people gain in wealth and they gain in access to these types of services in the health care industry.

I would just encourage all of my colleagues to sign on to this piece of legislation because we don't want to see this type of industry move outside of the United States. I appreciate Mr. PAULSEN and his leadership.

Mr. PAULSEN. As you mentioned, I think one of the things that folks don't often recognize, the medical device industry is high-value manufacturing. Boy, I think of a State like California and the high-value manufacturing that exists there. I visited some companies in California one time, and I would like to yield to Mr. BILBRAY who has been a leader on moving some of the packages of bills to help streamline the FDA and to modernize the FDA as well.

Mr. BILBRAY. I thank the gentleman.

Mr. Speaker, the gentleman is leading on not just an issue of jobs. This is an issue of jobs and lives. I think that is one thing we overlook so often. I am glad to hear about the hearing in Indianapolis because we had a hearing in San Diego. I'm sure that you guys are glad that you didn't have to come to the hearing in San Diego because we were in La Jolla overlooking the beach and the surf at the Scripps Institution of Oceanography. But maybe some day you will be able to break away and come to one of our hearings down in San Diego.

But, Mr. Speaker, we're talking about an issue that is not discussed enough. I guess one of the issues that I'm really excited about on this one is it's a bipartisan effort. If there was one thing I want everyone to know about Washington, D.C.—Democrats, Republicans or Independents—the biggest problem with this town isn't that Washington tries new things or that Washington makes mistakes; but when Washington tries new things and makes mistakes, they're not willing to go back and correct it and straighten it out. They ignore it.

In fact, a lot of times they think the only problem is just throw more money or taxes at it or more regulation, and somehow it will make it better. I think this is one of those items where Democrats and Republicans should get together and say, Look, this was rushed through, really wasn't looked into in depth and needs to be corrected and straightened out.

That is what this bill, both the gentleman's bill and my bill say: We need a step back period, a cooling off time, and let's look at this and straighten this out. And the first thing we have to do is take this huge tax off the back of not just the producers but the American consumer. We're talking about a tax of $20 billion on an industry that can ill afford this kind of burden, especially at this time. We're talking in California alone 112,000 jobs, and something that all of us will say later if we lose these jobs, Oh, my God, how could we have done this. More importantly, we are talking about those lives of the people who depend on not just those devices that are out there today, but those that will be out there in the future.

Is there anyone here that can assure themselves that their children or grandchildren or granddaughter or grandson or even their mother or father won't need to have medical devices somewhere down the line, not just to improve the quality of life, but to ensure life extension? Or the fact of just being able to survive certain medical crises? Those are all questions that we need to ask ourselves individually. But as a Nation, we need to ask ourselves: Was this the right step for us to take at this time or at any time? And if it wasn't, we have to be brave enough to do what Washington doesn't do enough, and that is go back and correct the mistakes and move on in a much better and much more secure form, something that can be substantiated.

Let me be very blunt, as someone who has a major medical device industry in my community, that there are ways we can correct these things. ANNA ESHOO and I, back in the 1990s, actually did tort reform for medical devices. There was a kind of bipartisan support of it saying put politics aside and put people first, and when it comes down to it, you do not provide health care to the public by taxing it out of the country. You're not going to make those kinds of opportunities available to either the people who need the jobs or those who need the medical breakthrough.

I want to say again that I look forward to working on this, and I look forward to working on a bipartisan effort with my colleagues on both sides of the aisle, things like FDA reform, which is going to be another essential step that we have to do to make sure that we keep this vibrant industry here, or we will all rue the day, Democrat and Republican, if we allow it to leave the country and the jobs and medical breakthroughs go with them.

Also, the huge resources that we have for more research and development to be brought back into this country by repatriating American money that is overseas, that is being kept overseas, but because of punitive actions of the Federal Government here in Washington, D.C., $2 trillion that could come back to help do research and development, to save lives, to develop the next generation of medical devices, to be able to create that opportunity in economics and in medical breakthroughs, that's the kind of thing that we need to see Democrats and Republicans work together on.

I look forward to building on the cooperation we see in this bill, and work on it in other bills related to public health and the economic opportunities of creating jobs in America with American jobs on American soil.

Mr. PAULSEN. I thank the gentleman for being a leader. When folks think of States like California, they think of high technology and medical devices, but it's the investors who have a large component in States like California that invest in these companies. Unfortunately, the FDA has become so risk averse that the investors aren't investing the resources needed to start the new products, and that's the pipeline going over to Europe. That's the challenge we have.

Someone else at the hearing a little over a week ago was my friend and colleague, Mr. YOUNG, who also heard some of these personal stories not only from the patient perspective but the innovator perspective.

I want to thank the gentleman from Indiana for his leadership and for inviting me to be a part of that hearing in Indiana.

Mr. YOUNG of Indiana. I thank the gentleman from Minnesota for his leadership and I certainly share your desire to lighten the burden on this high-value-added industry. We need to ensure that all of the manufacturing jobs, all of the job and economic growth opportunities that we can help create an environment for, a nurturing environment for, that we do.

□ 1710

One thing that I hear as I travel around southeastern Indiana and listen to my constituents, there's a lot of feedback about the level of uncertainty within our economy. There's regulatory uncertainty, there's uncertainty about future tax rates, and there's uncertainty about energy rates and health care costs. And so these medical device manufacturers are certainly laboring under the burden of uncertainty with respect to the FDA regulatory process. And then here we add an additional excise tax to their bottom line. And so I'm happy to support H.R. 436, which would lighten that burden.

I don't think probably many people appreciate—I certainly didn't appreciate it until I started looking into it—exactly how burdensome this device tax could be on the medical device industry. The tax is 2.3 percent of gross sales. So that's a top-line tax before all the other deductions and costs come out. So, essentially, that would translate into about 15 percent taxation on profits of many of these medical device companies. You add that 15 percent profit tax to 35 percent corporate tax

and the 5 percent tax when you add together the State and the local corporate tax burden, and you're north of 50 percent of tax on profits. So it's no wonder that so many of these device makers are instead deciding to expand their operations or start up new operations overseas. And we have to do what we can to prevent that.

Now, in my home State of Indiana, approximately 40 percent of all life sciences sector jobs are related to this devices industry, this high value-added industry that improves the lives of so many patients and certainly all the workers who work at these companies. My district, in particular, has some employers that we'd like to keep around, like the Cook Group in Bloomington, my hometown. And then as we head further south to Jeffersonville, Indiana, we have MedVenture. And there are people everywhere in between that work at this company.

The tax impact is going to burden not just the large companies, however. There are 300-plus FDA-approved medical device manufacturers in the State of Indiana. And as my colleague from Minnesota just indicated, they're all searching for financing. They're searching for venture capital to bring their fledgling operations to the next level. So a Cook Group could probably weather this storm and figure out some way to remain profitable, but it's the next Cook of the world, the next tinkerer in their garage or their spare bedroom that may not be able to grow their business and create the jobs that our constituents are all demanding should this device tax go into effect January 1 of next year as it's currently scheduled to do.

The regulatory challenges which I've already mentioned are also very important. They must be addressed separately. I know there's separate legislation out there to do that, and I will be supporting that initiative as well. But the bottom line here is that there are jobs at stake and there are people's lives at stake as well.

We heard very powerful testimony from Sheila Fraser. Her name has been mentioned here before. She is an outstanding young lady, a high school student, who at a very young age contracted cancer, and she was going to have to have her leg amputated. And because of the ingenuity and the entrepreneurship of people in my home State of Indiana, they were able to put together a company and sell these products and develop a product that benefited Sheila Fraser directly. And now she's living a very productive life, and she has both of her legs, thank the Lord. And we need other people to benefit from similar sorts of innovations in the future.

I am most proud to be here to speak on behalf of H.R. 436. I urge my colleagues to sign on to this legislation and to vote in favor of it.

Mr. PAULSEN. I thank the gentleman. I'm not sure how much time we have left in our colloquy, Mr. Speaker.

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

Mr. PAULSEN. Thank you, Mr. Speaker.

CIVILIAN PROPERTY REALIGNMENT ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. DENHAM) is recognized for 30 minutes.

Mr. DENHAM. Mr. Speaker, I am here this afternoon to talk about H.R. 1734, the Civilian Property Realignment Act. Here we have an opportunity to not only cut waste, but also to create jobs and to bring in new revenue without raising taxes. Here's an opportunity for Republicans and Democrats to agree and send the President actually something he is asking for.

What the Civilian Property Realignment Act would do would be to have greater oversight over leasing authority. We would also have redevelopment of underutilized property, the best use possible, and combine agencies. Where you may have 50 percent of an agency in one building, 50 percent in another, we're going to combine them into one agency.

And then we're going to sell off the things we just don't need, properties that we have around the entire Nation, some of which have sat vacant, some of them are declared excess, underutilized, sell off the things we just don't need.

And then, finally, we want to create transparency. We want to shrink the size of government by creating transparency, showing how many employees are going to be housed in which buildings, and before we go out and lease new space or buy new space actually let people know before we go out and hire new employees. This is the best opportunity, I believe, to shrink the size of government.

I want to go through these one by one. First of all, oversight of leasing authority. We held a hearing several months ago. The Security Exchange Commission went out over a weekend and secured 1 million square feet over the next 10 years at the cost of $550 million. Over half a billion dollars of taxpayer dollars were committed on a weekend with no oversight, with no authority, and today we still have a vacant space because the employees that may have been hired have never been hired, and there's no proposal to ever hire the employees, yet taxpayers are now on the hook for $550 million.

We need new oversight. We need greater oversight. The SEC, the Securities and Exchange Commission, we have now pulled back their oversight, but this is happening in many different areas of the bureaucracy. Many different agencies have this authority today and still have the ability to go out and secure these types of leases. It is time to bring it all under one department. GSA has the opportunity to manage all of our leases, all of our portfolios, and make sure that we are actually making sound business decisions. What a philosophy that is for government—actually see what we need, what agencies have how many employees, what are their leasing needs, have the transparency and the oversight before we go secure a new lease.

Redevelopment—we need to redevelop some of these properties. The Old Post Office right down the street here about a block away from the White House, a property that we had built in the late 1800s, it's a beautiful property. It's one of the tallest buildings in the capital region. It has a big clock. It is a nice historic building. That's one we don't want to sell off. But rather than spend $6½ million every year in upkeep, rather than have this vacant building that could be utilized, why not redevelop it? Why not make that a showpiece? Why not allow constituents and visitors to the Washington, D.C., area to actually go up into this national monument, go up into the clock tower and be able to take in one of the greatest views that our country has to offer? And let's do it and make a profit. We have offers coming in now from Trump, Waldorf Astoria, and Marriott Properties that all want to redevelop this property, create hundreds of jobs in the short term just in the redevelopment process, but also create hundreds of jobs in the long term by making sure that we have an employment base for years to come in this capital region.

But this isn't just about Washington, D.C. We have properties like this across the Nation. If it's a historic property, then let's redevelop it. Let's make sure that the infrastructure is there, done by a private investor that is going to go out and redevelop this property and then have the long-term job effect afterwards. It can be done, it can be replicated, this one jobs investment.

The companies that are talking about moving into the Old Post Office is $140 million total private investment, $100 million in materials, 300 immediate jobs. If you go around the D.C. area, you can see that we could use the 300 jobs just in this one project.

□ 1720

Then another 275 permanent jobs for year in, year out in this one beautiful new hotel that would be redeveloped. That's $11.2 million in annual revenues to the D.C. area. This is a way to get Republicans and Democrats to agree on something that not only creates jobs, not only gets rid of waste in $6.5 million that we spend every year just in operating costs anyway, but get a property moving again in the right way.

We also need to combine agencies, collocate. There are too many properties out there where we have 25 percent utilization, 50 percent utilization. Why wouldn't we have close to 100 percent utilization on every property? You would in business. There's no business

that wants to keep vacant office space, vacant warehouse space; but in government, because we don't have agencies talking to each other, we have vacant office space and vacant warehouse space across the entire Nation.

Here's an opportunity to do more with less. We have an opportunity to, in courthouse sharing, we have waste, 946,000 extra square feet, which was constructed because of lack of sharing. The number of courtrooms needed is 27 of the 33 courtrooms, which would have been reduced by a total of 126 if all we did was just share. But this is one example. Again, this goes across the entire bureaucracy across the United States. Combining agencies, collocating, getting to 100 percent utilization rate is something we ought to all strive for.

But I think one of the biggest areas, not only for redevelopment and jobs, but to bring in revenue—there is a lot of talk out there about taxes. If you really want to bring in revenue that Republicans and Democrats can agree on, let's sell off some of those things that we just don't need, properties that we have sat on for decades, properties that we may have bought at one time or developed at one time because we actually had a purpose for using them.

But there's no accountability, no efficiency to be able to say at a certain point that this property is just not needed; it's not being utilized; it hasn't been developed. It's going to cost us millions of dollars every year in operating costs. It's going to cost us billions of dollars to do tenant improvements.

We don't look at all of our properties across the Nation. We don't even look at our asset portfolio by agency. Let's start taking a look at the 1.4 million properties, buildings that we have across the Nation that your Federal Government owns that utilizes taxpayer dollars and make a business decision: Do we need it now? Is it being used efficiently? And can we sell off some of the things that we just don't need?

We've already identified 14,000 excess properties—''excess'' meaning we don't need them today. Let's start by selling those off. But then let's look at some big ticket items. Rather than giving the Presidio back to California or to San Francisco, rather than doing a sweetheart deal for one city or one State, selling off big billion dollar properties to New York, let's do a competitive process that affects all of our taxpayers, that actually brings revenue back to our Treasury and reduces our debt.

And along the way, as we're selling off these properties, the private individual that buys it or the company that's redeveloping it is going to reinvest not only in the property, but in the community. You can generate millions of jobs just by creating the redevelopment across the entire Nation. So there's a great opportunity with our property sale as well.

And then we also need oversight. I mean, there has been a huge lack in oversight across the Nation. One of the glaring examples that I've seen is in my home State of California, a courthouse that was proposed over a decade ago. Now, in 2000 we had 60 judges, with a proposal to add about 20 more judges. They were going to build a new courthouse. About $400 million it was going to be to build this new courthouse.

We also spent millions of dollars acquiring this new piece of property that is in a beautiful area of downtown, redeveloped all around it; but it is a hole in the ground. For the last decade, we have not done it because we haven't hired new judges; in fact, we have fewer judges now. And across the Nation there is this new policy to actually commingle, share courtroom space. So we've got two courtrooms in the L.A. area that neither one is a hundred percent occupied. We have space there just for individuals; but if we did sharing, we could actually get rid of one of those two courthouses. But instead, we're going to obligate a half a billion dollars to build a brand-new court site when we're not utilizing the other two court sites that we have today.

We need greater oversight so that we can look at all of these properties, the stimulus package that we had at one time and the money that's still being spent out there and actually use them for shovel-ready projects that will create jobs today. This little courthouse is going to spend a half a billion dollars on courtrooms that we don't need. We need greater oversight.

If we want to really move this country forward, if we want to get Republicans and Democrats to agree, if we want to get both parties in both Houses to work on something together, if you want to send something to the President that the President is actually asking for that creates jobs, not just numbers out there or long term, that creates jobs today, something that's going to bring in revenue—we know we need revenue, we know we've got a huge debt that we've got to pay off—immediate revenue within the first year, over $15 billion within the next decade. And I think that that is a very conservative estimate, that we have a chance to sell quite a bit more than that itself.

And then, lastly, cutting waste. With one bill we can cut waste, we can create jobs, and we can create revenue with both parties agreeing to something that will move our country forward.

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

RECESS

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

Accordingly (at 5 o'clock and 27 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PALAZZO) at 6 o'clock and 32 minutes p.m.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CARSON of Indiana (at the request of Ms. PELOSI) for today on account of a death in the family.

Mr. RUPPERSBERGER (at the request of Ms. PELOSI) for today and the balance of the week on account of medical reasons (surgery).

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 368. An act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 10 a.m. tomorrow for morning-hour debate.

There was no objection.

Accordingly (at 6 o'clock and 33 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, November 3, 2011, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3709. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Responsibility and Liability for Government Property (DFARS Case 2010-D018) (RIN: 0750-AG94) received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3710. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3711. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Share Insurance and Appendix (RIN: 3133-AD79) October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3712. A letter from the Secretary, Department of Education, transmitting the Department's final rule — State Fiscal Stabilization Fund Program [Docket ID: ED-2011-OS-0010] (RIN: 1894-AA03) received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3713. A letter from the Assistant General Counsel for Legislation, Regulations and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Compliance Certification for Electric Motors [Docket No.: EERE-2010-BT-CE-0014] (RIN: 1904-AC23) received September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3714. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Countermeasures Injury Compensation Program (CICP); Administrative Implementation, Final Rule (RIN: 0906-AA83) received October 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3715. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles [EPA-HQ-OAR-2010-0162; NHTSA-2010-0079; FRL-9455-1] (RIN: 2060-AP61; 2127-AK74) received October 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3716. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Electric Reliability Organization Interpretation of Transmission Operations Reliability Standard [Docket No.: RM10-29-000; Order No. 753] received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3717. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Management Directive 11.6, ''Financial Assistance Program'' received October 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3718. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Final Division of Safety Systems Interim Staff Guidance DSS-ISG-2010-01: Staff Guidance Regarding the Nuclear Criticality Safety Analysis for Spent Fuel Pools received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3719. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Supplemental Standards for Ethical Conduct for Employees of the Department of the Treasury (RIN: 1505-AC38) received October 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

3720. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Special Regulations; Areas of the National Park System, Grand Teton National Park, Bicycle Routes, Fishing and Vessels (RIN: 1024-AD75) received September 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3721. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the Sonoma County Distinct Population Segment of California Tiger Salamander [Docket No.: FWS-R8-ES-2009-0044] (RIN: 1018-AW86) received September 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3722. A letter from the Acting Chief, Listing Branch, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Status for the Altamaha Spinymussel and Designation of Critical Habitat [Docket No.: FWS-R4-ES-2008-0107] (RIN: 1018-AV88) received October 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3723. A letter from the Chief, Branch of Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Casey's June Beetle and Designation of Critical Habitat [Docket No.: FWS-R8-ES-2009-0019] (RIN: 1018-AV91) received September 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3724. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Regulatory Amendment [Docket No.: 110131079-1521-02] (RIN: 0648-BA79) received September 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

3725. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Extension of Replacement Period for Livestock Sold on Account of Drought in Specified Counties [Notice 2011-79] received September 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3726. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Supplemental Procedures for Church Plan Letter Rulings (Rev. Proc. 2011-44) received September 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3727. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2011 Prevailing State Assumed Interest Rates (Rev. Rule. 2011-23) received October 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3728. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2011-84] received October 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3729. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Updated Procedures for Opinion and Advisory Letter Rulings for Pre-approved Plans (Revenue Procedure 2011-49) received October 12, 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. SESSIONS: Committee on Rules. House Resolution 453. Resolution providing for consideration of the bill (H.R. 2930) to amend the securities laws to provide for registration exemptions for certain crowdfunded securities, and for other purposes, and providing for consideration of the bill (H.R. 2940) to direct the Securities and Exchange Commission to eliminate the prohibition against general solicitation as a requirement for a certain exemption under Regulation D (Rept. 112–265). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FLORES:

H.R. 3306. A bill to repeal the Advanced Technology Vehicle Manufacturing loan program; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself, Mr. BLUMENAUER, Mr. LUCAS, Mr. KING of Iowa, Mr. LATHAM, Mr. DOLD, Mr. PETERSON, Mr. BRALEY of Iowa, Mr. LARSON of Connecticut, Mr. BOSWELL, and Mr. THOMPSON of California):

H.R. 3307. A bill to amend the Internal Revenue Code of 1986 to extend the renewable energy credit; to the Committee on Ways and Means.

By Mr. POMPEO (for himself, Mr. LABRADOR, Mr. RIBBLE, and Mr. FLAKE):

H.R. 3308. A bill to amend the Internal Revenue Code of 1986 to terminate certain energy tax subsidies and lower the corporate income tax rate; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself and Mr. KINZINGER of Illinois):

H.R. 3309. A bill to amend the Communications Act of 1934 to provide for greater transparency and efficiency in the procedures followed by the Federal Communications Commission; to the Committee on Energy and Commerce.

By Mr. SCALISE (for himself and Mr. WALDEN):

H.R. 3310. A bill to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens; to the Committee on Energy and Commerce.

By Mr. BILBRAY (for himself, Mr. FILNER, Mr. HUNTER, and Mr. ISSA):

H.R. 3311. A bill to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself and Mr. LARSEN of Washington):

H.R. 3312. A bill to authorize the Secretary of Homeland Security, in coordination with the Secretary of State, to establish a program to issue Asia-Pacific Economic Cooperation Business Travel Cards, and for other purposes; to the Committee on Homeland Security.

By Mr. DEFAZIO (for himself, Mr. BRALEY of Iowa, Mr. JOHNSON of Georgia, Mr. SARBANES, Mr. FILNER, Ms. SUTTON, Mr. BLUMENAUER, Ms. SLAUGHTER, Ms. HIRONO, Mr. WELCH, Mr. CONYERS, Ms. EDWARDS, and Mr. HINCHEY):

H.R. 3313. A bill to amend the Internal Revenue Code of 1986 to impose a tax on certain trading transactions; to the Committee on Ways and Means.

By Mrs. CAPPS (for herself, Mr. MARKEY, and Ms. MATSUI):

H.R. 3314. A bill to direct the Secretary of Health and Human Services to develop a national strategic action plan to assist health professionals in preparing for and responding to the public health effects of climate change, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CASSIDY:

H.R. 3315. A bill to establish a pilot program providing for monthly fee-based payments for direct primary care medical homes for Medicare-Medicaid dual eligibles and other Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ELLISON (for himself and Ms. MOORE):

H.R. 3316. A bill to prohibit election officials from requiring individuals to provide photo identification as a condition of obtaining or casting a ballot in an election for Federal office or registering to vote in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. ELLISON (for himself and Ms. MOORE):

H.R. 3317. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on House Administration.

By Mr. FLEISCHMANN:

H.R. 3318. A bill to amend the Internal Revenue Code of 1986 to temporarily exclude capital gain from gross income; to the Committee on Ways and Means.

By Mr. GRIJALVA:

H.R. 3319. A bill to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe; to the Committee on Natural Resources.

By Ms. HANABUSA (for herself, Ms. BORDALLO, and Ms. HIRONO):

H.R. 3320. A bill to amend the Compact of Free Association of 1985 to provide for adequate Compact-impact aid to affected States and territories, and for other purposes; to the Committee on Natural Resources, 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. HERGER:

H.R. 3321. A bill to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HIMES (for himself, Mr. CONNOLLY of Virginia, Mr. POLIS, and Ms. HIRONO):

H.R. 3322. A bill to establish an Early Learning Challenge Fund to support States in building and strengthening systems of high-quality early learning and development programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HUELSKAMP:

H.R. 3323. A bill to reduce the regulatory burden on the agricultural sector of the national economy; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. MCGOVERN, Ms. SLAUGHTER, Mr. ACKERMAN, Ms. SCHAKOWSKY, Mrs. MALONEY, Mr. FATTAH, Mr. GRIJALVA, Mr. JACKSON of Illinois, Ms. HIRONO, Mr. LARSEN of Washington, Mr. CLAY, Ms. CHU, Ms. NORTON, Mr. TOWNS, Ms. MOORE, Ms. CLARKE of New York, Ms. DEGETTE, Mr. RUSH, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. HOLT, Mr. QUIGLEY, Mr. HASTINGS of Florida, Ms. WOOLSEY, Mr. BLUMENAUER, and Ms. DELAURO):

H.R. 3324. A bill to provide for the reduction of unintended pregnancy and sexually transmitted infections, including HIV, and the promotion of healthy relationships, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERLMUTTER (for himself, Mr. MORAN, Mr. AL GREEN of Texas, Ms. WATERS, Mr. JOHNSON of Georgia, Mrs. CAPPS, Mr. SIRES, Mr. BLUMENAUER, Mr. LARSON of Connecticut, Mr. CLEAVER, Mr. FILNER, and Mr. QUIGLEY):

H.R. 3325. A bill to create livable communities through coordinated public investment and streamlined requirements, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUAYLE (for himself and Mr. FLORES):

H.R. 3326. A bill to enable States to opt out of the Medicaid expansion-related provisions of the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce.

By Mr. REED (for himself, Mr. OWENS, Mr. GUINTA, Mr. CRAWFORD, Mr. GOSAR, Mr. BROUN of Georgia, and Mr. WESTMORELAND):

H.R. 3327. A bill to direct the Secretary of Transportation to issue categorical exclusions from environmental assessment requirements for certain highway construction activities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RENACCI (for himself and Mr. ROSKAM):

H.R. 3328. A bill to amend title XVIII of the Social Security Act to provide a six-month grace period for certain Medicare advanced diagnostic imaging services suppliers to receive accreditation; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. DONNELLY of Indiana, Mr. RUSH, Mr. RANGEL, Mr. FILNER, Mr. BENISHEK, and Mr. BRALEY of Iowa):

H.R. 3329. A bill to amend title 38, United States Code, to extend the eligibility period for veterans to enroll in certain vocational rehabilitation programs; to the Committee on Veterans' Affairs.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. RUSH, and Mr. RANGEL):

H.R. 3330. A bill to amend title 38, United States Code, to extend the Department of Veterans Affairs demonstration projects on adjustable rate mortgages and hybrid adjustable rate mortgages; to the Committee on Veterans' Affairs.

By Mr. SENSENBRENNER:

H.R. 3331. A bill to require an accounting for financial support made to promote the production or use of renewable energy, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, 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.

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. FLORES:

H.R. 3306.

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

Article 1, Section 9, Clause 7.

By Mr. REICHERT:

H.R. 3307.

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

''The constitutional authority of Congress to enact this legislation is provided by Article 1, section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).''

By Mr. POMPEO:

H.R. 3308.

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

Article I, Section 8, Clause 3

By Mr. WALDEN:

H.R. 3309.

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

This bill is enacted pursuant to Article I, Section 8, Clause 3 of the United States Constitution, which empowers Congress to regulate Commerce among the several States.

By Mr. SCALISE:

H.R. 3310.

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

This bill is enacted pursuant to Article I, Section 8, Clause 3 of the United States Constitution, which empowers Congress to regulate Commerce among the several States.

By Mr. BILBRAY:

H.R. 3311.

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

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. BRADY of Texas:

H.R. 3312.

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

Article I, Section 8, Clause 3: ''The Congress shall have Power . . . To regulate Commerce with foreign Nations. . . .''

By Mr. DEFAZIO:

H.R. 3313.

Congress has the power to enact this legislation pursuant to the following:
Interstate Commerce Clause
By Mrs. CAPPS:
H.R. 3314.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. CASSIDY:
H.R. 3315.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1
By Mr. ELLISON:
H.R. 3316.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. ELLISON:
H.R. 3317.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. FLEISCHMANN:
H.R. 3318.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, clause 1.
By Mr. GRIJALVA:
H.R. 3319.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution.
By Ms. HANABUSA:
H.R. 3320.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3, to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and Article I, Section 8, Clause 18 to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. HERGER:
H.R. 3321.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 of the United States Constitution which allows the Congress of the United States To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. HIMES:
H.R. 3322.
Congress has the power to enact this legislation pursuant to the following:
Clause 3 of section 8 of article I of the Constitution.
By Mr. HUELSKAMP:
H.R. 3323.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Article I, Section 8, Clause 3 of the U.S. Constitution, which grants Congress the authority to regulate commerce between the several states, and from Amendment X to the United States Constitution, which grants states all authority not explicitly given to the federal government. This bill seeks to ensure and promote commerce between states, and to return authority previously and erroneously claimed by the federal government, back to the states.
By Ms. LEE of California:
H.R. 3324.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.
By Mr. PERLMUTTER:
H.R. 3325.
Congress has the power to enact this legislation pursuant to the following:
Clause 1 of Section 8 of Article 1 of the Constitution of the United States, whereby the Congress is authorized to provide for the ''general Welfare of the United States.''
By Mr. QUAYLE:
H.R. 3326.
Congress has the power to enact this legislation pursuant to the following:
Amendment X of the U.S. Constitution
By Mr. REED:
H.R. 3327.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 as well as Article I, Section 8, Clause 18.
By Mr. RENACCI:
H.R. 3328.
Congress has the power to enact this legislation pursuant to the following:
Art. 1, §8, Clause. 3 To regulate commerce among foreign nations and the several states.
By Ms. LINDA T. SÁNCHEZ of California:
H.R. 3329.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Ms. LINDA T. SÁNCHEZ of California:
H.R. 3330.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. SENSENBRENNER:
H.R. 3331.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the U.S. Constitution

ADDITIONAL SPONSORS

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

H.R. 10: Mr. GOODLATTE.
H.R. 12: Mr. CLYBURN, Mr. SABLAN, and Mr. KILDEE.
H.R. 31: Mr. MEEHAN.
H.R. 104: Ms. HERRERA BEUTLER and Mrs. SCHMIDT.
H.R. 139: Mr. HOLT, Mr. VAN HOLLEN, and Mr. MILLER of North Carolina.
H.R. 157: Mr. DESJARLAIS, Mr. MCKINLEY, and Mr. HULTGREN.
H.R. 178: Mr. CUELLAR.
H.R. 212: Mrs. ROBY.
H.R. 321: Mr. MILLER of North Carolina.
H.R. 361: Mr. RIBBLE and Mrs. ROBY.
H.R. 363: Ms. SPEIER and Mr. BERMAN.
H.R. 374: Mr. HECK and Mrs. ROBY.
H.R. 402: Mr. KEATING and Mr. CARNAHAN.
H.R. 436: Mr. AMASH and Mr. KISSELL.
H.R. 459: Mr. GENE GREEN of Texas and Mr. WALDEN.
H.R. 507: Mr. HANNA.
H.R. 553: Mr. ROTHMAN of New Jersey.
H.R. 676: Ms. RICHARDSON.
H.R. 709: Mr. WATT.
H.R. 735: Mr. CHABOT and Mr. SENSENBRENNER.
H.R. 750: Mr. BROUN of Georgia.
H.R. 835: Mr. BASS of New Hampshire and Mr. HANNA.
H.R. 862: Mr. CONNOLLY of Virginia.
H.R. 891: Ms. SCHWARTZ.
H.R. 904: Mr. HARRIS.
H.R. 973: Ms. FOXX.
H.R. 993: Mr. CONAWAY.
H.R. 1058: Mr. YOUNG of Florida.
H.R. 1063: Mr. RIBBLE.
H.R. 1173: Mr. GUINTA, Mr. GOSAR, Mr. BROUN of Georgia, Mr. MARCHANT, Mr. GARY G. MILLER of California, and Mr. ROKITA.
H.R. 1175: Mr. JOHNSON of Ohio.
H.R. 1195: Ms. HERRERA BEUTLER.
H.R. 1236: Ms. FUDGE.
H.R. 1265: Mr. BOREN and Mr. BACHUS.
H.R. 1358: Mr. YOUNG of Florida.
H.R. 1370: Mr. GUINTA.
H.R. 1386: Ms. FUDGE, Mr. MICHAUD, Mr. CONNOLLY of Virginia, and Mr. GENE GREEN of Texas.
H.R. 1426: Mr. KELLY.
H.R. 1489: Mr. CICILLINE and Ms. SUTTON.
H.R. 1511: Mr. KINGSTON.
H.R. 1515: Mr. HASTINGS of Florida, Mr. JOHNSON of Georgia, Mr. CARSON of Indiana, and Mr. ACKERMAN.
H.R. 1639: Mr. RENACCI.
H.R. 1659: Mr. DOYLE.
H.R. 1724: Ms. DEGETTE.
H.R. 1738: Mr. HANNA.
H.R. 1744: Mr. GRIFFITH of Virginia.
H.R. 1755: Mr. BROUN of Georgia.
H.R. 1802: Mr. BROUN of Georgia.
H.R. 1815: Mr. PEARCE and Mr. CHABOT.
H.R. 1834: Mr. JORDAN, Mr. SCALISE, and Mr. CHANDLER.
H.R. 1946: Mr. ADERHOLT and Mr. BUTTERFIELD.
H.R. 1951: Mr. HOLT.
H.R. 1956: Mr. CHAFFETZ and Ms. FOXX.
H.R. 1965: Mr. RUPPERSBERGER.
H.R. 1971: Mr. JONES.
H.R. 2028: Mr. TIERNEY.
H.R. 2059: Mr. GOSAR, Mrs. NOEM, Mr. BURGESS, and Mr. LONG.
H.R. 2065: Mr. FILNER.
H.R. 2082: Mr. BOREN.
H.R. 2088: Mr. DOLD.
H.R. 2105: Mr. BILIRAKIS and Mr. SMITH of New Jersey.
H.R. 2108: Mr. FARR.
H.R. 2131: Mr. BONNER, Mrs. CAPPS, Mr. PEARCE, and Mr. GRIFFIN of Arkansas.
H.R. 2137: Mr. MEEHAN and Mr. QUIGLEY.
H.R. 2194: Ms. DEGETTE.
H.R. 2195: Mr. MORAN.
H.R. 2227: Mr. BARROW, Mr. ENGEL, and Mr. MATHESON.
H.R. 2239: Ms. BALDWIN.
H.R. 2284: Mr. ROSS of Florida.
H.R. 2299: Mrs. ROBY.
H.R. 2308: Mr. HUIZENGA of Michigan.
H.R. 2369: Mr. PAUL, Mr. TIBERI, and Mr. FLAKE.
H.R. 2435: Mr. BROUN of Georgia.
H.R. 2446: Mr. JONES, Mr. CRAWFORD, Mr. DUNCAN of Tennessee, and Mr. ROYCE.
H.R. 2453: Mr. ENGEL.
H.R. 2469: Ms. MOORE.
H.R. 2487: Ms. SCHAKOWSKY and Mrs. MALONEY.
H.R. 2492: Mr. TIERNEY and Mr. PASCRELL.
H.R. 2528: Mr. FLORES.
H.R. 2536: Mr. HANNA.
H.R. 2563: Mr. WOLF and Mr. STIVERS.
H.R. 2586: Ms. MOORE.
H.R. 2595: Ms. DEGETTE and Mr. HEINRICH.
H.R. 2602: Mr. ROSS of Florida.
H.R. 2697: Mr. SMITH of Nebraska.
H.R. 2706: Mr. FLORES and Mr. YOUNG of Alaska.
H.R. 2815: Ms. HAHN.

H.R. 2829: Mr. WOLF.
H.R. 2870: Mr. AUSTRIA and Mr. KLINE.
H.R. 2874: Mr. JONES, Mrs. ELLMERS, Mrs. MCMORRIS RODGERS, and Mr. JOHNSON of Ohio.
H.R. 2918: Mr. JOHNSON of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. FORBES.
H.R. 2948: Mr. PASTOR of Arizona, Mr. HOLT, Mr. LUJÁN, Mr. HIGGINS, Ms. CHU, Mr. ACKERMAN, Ms. WASSERMAN SCHULTZ, Mr. CONNOLLY of Virginia, Mr. KEATING, Mr. AL GREEN of Texas, Ms. DEGETTE, Mr. POLIS, Mr. SIRES, and Mr. MCNERNEY.
H.R. 2962: Ms. HAYWORTH and Mr. PEARCE.
H.R. 2982: Mr. ELLISON and Mr. JOHNSON of Ohio.
H.R. 2992: Mr. MARCHANT.
H.R. 3010: Mrs. ADAMS, Mr. GOHMERT, Mr. AUSTRIA, Mr. DAVIS of Kentucky, Mr. JOHNSON of Ohio, Mr. BACA, Mr. COSTA, Mr. CALVERT, and Mr. CARDOZA.
H.R. 3020: Mr. CROWLEY.
H.R. 3029: Ms. BUERKLE and Mr. AMASH.
H.R. 3046: Mr. GONZALEZ, Mrs. DAVIS of California, and Mr. RYAN of Ohio.
H.R. 3059: Mrs. MALONEY, Mr. PLATTS, and Mr. ROGERS of Michigan.
H.R. 3076: Mr. LEWIS of Georgia, Ms. LEE of California, Mr. GRIJALVA, Mr. HASTINGS of Florida, and Mr. AL GREEN of Texas.
H.R. 3086: Mr. ACKERMAN, Mr. NADLER, and Ms. SLAUGHTER.
H.R. 3094: Mr. CALVERT and Mr. BACHUS.
H.R. 3127: Mr. HUELSKAMP, Mr. RIBBLE, Mr. ROE of Tennessee, Mrs. SCHMIDT, and Mr. BRADY of Texas.
H.R. 3130: Mr. JORDAN and Mr. NUNNELEE.
H.R. 3145: Mr. HIGGINS.
H.R. 3155: Mr. PEARCE.
H.R. 3156: Mr. PAUL.
H.R. 3162: Mr. CASSIDY, Mr. FORBES, and Mr. BUCSHON.
H.R. 3163: Mr. STARK, Ms. LEE of California, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Ms. NORTON, Ms. FUDGE, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. RANGEL, Ms. EDWARDS, Mr. CLEAVER, Ms. CLARKE of New York, Mrs. CHRISTENSEN, Mr. HASTINGS of Florida, Mr. THOMPSON of Mississippi, Mr. DAVID SCOTT of Georgia, Mr. MEEKS, Mr. RICHMOND, Ms. RICHARDSON, and Mr. CARSON of Indiana.
H.R. 3185: Mr. JOHNSON of Ohio, Mr. LONG, Mrs. ELLMERS, and Mrs. HARTZLER.
H.R. 3194: Mr. BROUN of Georgia.
H.R. 3200: Ms. CLARKE of New York.
H.R. 3202: Mr. YOUNG of Alaska.
H.R. 3218: Mr. FLORES, Mr. PENCE, Mr. MANZULLO, Mr. KINGSTON, Mr. COLE, Mr. POSEY, Mr. CONAWAY, Mr. BARTON of Texas, and Mrs. SCHMIDT.
H.R. 3233: Mr. CLARKE of Michigan.
H.R. 3243: Mrs. BLACKBURN and Mr. NEUGEBAUER.
H.R. 3267: Mr. BENISHEK.
H.R. 3270: Mr. DENHAM.
H.R. 3286: Mr. LEWIS of Georgia, Mr. THOMPSON of California, Mr. LANGEVIN, Mr. FILNER, Ms. BORDALLO, and Ms. EDWARDS.
H.R. 3289: Mr. GOSAR and Mr. PEARCE.
H.R. 3294: Mr. STUTZMAN, Mr. FLORES, and Mr. YODER.
H.R. 3296: Ms. HIRONO.
H.J. Res. 20: Mr. FLORES.
H.J. Res. 81: Mr. NUNNELEE, Mr. HULTGREN, Mr. PALAZZO, Mr. YOUNG of Indiana, and Mr. CUELLAR.
H. Res. 25: Mr. DUNCAN of South Carolina.
H. Res. 295: Ms. NORTON.
H. Res. 341: Ms. PINGREE of Maine, Mr. LATHAM, and Mr. CONNOLLY of Virginia.
H. Res. 351: Mr. BARTLETT.
H. Res. 356: Mr. DIAZ-BALART and Mr. WOLF.
H. Res. 433: Mr. KLINE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative MCHENRY, or a designee, to H.R. 2930, the Entrepreneur Access to Capitol Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative BRAD MILLER of North Carolina, or a designee, to H.R. 2940, the Access to Capital for Job Creators Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.