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No. 10

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
January 25, 2011.

I hereby appoint the Honorable TOM McCLINTOCK 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.

TIME TO REDUCE SPENDING TO THE 2008 LEVELS

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. WILSON) for 1 minute.

Mr. WILSON of South Carolina. Mr. Speaker, this week the House will consider House Resolution 38, which promotes a reduction of current spending to the 2008 levels or less for the remainder of the fiscal year. This legislation seeks to cure the illness in Washington known as runaway spending.

For the past 4 years, liberals in Washington have been on a spending

spree that has not only resulted in a loss of jobs, but also historic deficits. This job-destroying agenda is not sound policy for Americans today, and it burdens future generations of Americans with crushing debt.

Last week the House took steps to repeal and replace the job-killing government takeover of health care. The NFIB, the National Federation of Independent Business, the largest organization in the United States of small businesses, reports that that will put 1.6 million jobs at risk. Now we must focus our attention on limiting spending levels.

Currently, our national deficit stands at \$14 trillion. Saddling future generations with today's debt is not the solution. The time has come to implement spending reforms to ensure we cut spending. The American people in November spoke clearly for fiscal responsibility. The tea party has made a difference—taxed enough already.

TRIBUTE TO FORMER CONGRESSMAN WILLIAM RATCHFORD

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

Ms. DELAURO. It is with heavy heart that I rise today to pay tribute to the life of former Congressman William R. Ratchford, whom we lost earlier this year after a long and courageous battle with Parkinson's disease.

I talked to many friends and colleagues of Bill in recent days, and the same description kept coming up. He was modest and charming and exactly who he appeared to be. One long-time friend called him "the most fundamentally decent, unpretentious person." Another, former Senator Chris Dodd, reminded me of Bill's decency and great warmth. "He was wonderfully enthusiastic about other people's successes," Chris said, which is sadly

atypical of people in our line of business.

For that and so many other reasons, Bill was a role model to me and the rest of our delegation. He was a humble giant in Connecticut politics, well liked and respected by all, and he will be deeply missed by all those fortunate enough to have known him.

When I came to represent much of the Naugatuck Valley in 2000, Bill personally took me town by town. He knew everyone and everyone knew him. There was a mutual respect and fondness there that I have always tried to live up to ever since. Bill just had that effect on people. He was funny, kind, and down to Earth. As a humble son of a hat factory worker and a teacher, he never forgot where he came from. He understood his constituents' needs and concerns because their concerns were his. He walked in their shoes.

During 12 years in the State house, four as speaker, and three terms in the Congress, Bill focused on the needs of children and seniors, on improving public education, helping nontraditional and mid-career students go to college, and ensuring that all seniors could enjoy retirement with the health and dignity they deserve.

More than anything, Bill tried to make a difference in everything he did. In doing so, he left an indelible mark on our State and this institution. I extend my deepest sympathies to his wife, Barbara, and their three children, Shaun, Scott, and Brian, and his grandchildren. He was an extraordinary individual, and he leaves a legacy to which we should all aspire.

I yield to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Thank you, Congresswoman DELAURO.

Mr. Speaker, I just want to associate my remarks with Congresswoman DELAURO's eloquence. Bill Ratchford was a giant in Connecticut politics. He

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

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



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served as Speaker of the House in the State legislature. As a former State legislator myself, I saw firsthand the legacy that he left behind in terms of a civil but progressive agenda that he advanced in the State of Connecticut, which, as a Member of Congress for three terms, he continued that work, again, particularly focusing on the emerging issues of the aging in our country, which as a demographic is growing. He was really just someone with great vision in terms of the need to make sure that we had a society that was prepared to deal with those issues.

Mr. Speaker, as we grapple with the challenge of civil discourse in our democracy, Bill Ratchford, in my opinion, is the perfect, almost iconic example of what a legislator and a public servant ought to be. He cared deeply about the issues that he campaigned and advocated for, but he also was someone who studiously respected his opposition and believed passionately in civil discourse and debate. Again, I think that legacy, probably above all, is the most powerful one that he leaves behind us; and, frankly, we would all do well to follow his outstanding example.

TIME FOR FISCAL RESPONSIBILITY

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

Mr. GRAVES of Georgia. Mr. Speaker, early reports indicate that President Obama will call for a new spending package during his State of the Union address tonight. Now, I have heard, as many of you have, that this might be masked, as he might say tonight, as targeted investments. More stimulus. Democrats speak for stimulus, but it will be hidden with calls for tepid spending cuts.

Well, Mr. Speaker, Americans know that our debt is \$14 trillion. They know that the President spent \$1.3 trillion over the budget last year, only to see unemployment stay above 9 percent. Now is the time to pivot to fiscal responsibility. It's time to shred the President's maxed-out credit cards and cut his weekly allowance. It's time to tell our kids and grandkids that we don't want them to bear the burden of our generation's fiscal irresponsibility.

Mr. Speaker, I, along with my constituents in north Georgia, hope that the early reports are wrong about another stimulus being proposed tonight. Rather than use a few spending cuts as window dressing for more spending, tonight is the President's opportunity to seize the moment, to be a leader, and get serious about spending reform.

TRIBUTE TO FORMER CONGRESSMAN WILLIAM RATCHFORD

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

Mr. MURPHY of Connecticut. Mr. Speaker, I rise, as did other Members of the Connecticut delegation, to pay tribute to a great man who served the State of Connecticut and his community of Danbury in a variety of ways, Bill Ratchford.

Bill Ratchford passed away recently, and the entire State of Connecticut is mourning; but, in particular, my district is mourning. Though Connecticut's districts have been reconfigured over the years, we both share a love and affinity for Bill Ratchford's hometown of Danbury that he represented in the United States Congress and I have the great fortune of representing.

Bill grew up in Danbury. He was a child of the Depression. His father worked in one of the great hat factories in Danbury, Connecticut. His mother was a school teacher. And they instilled in Bill the value of what truly matters in life: a good education, a love for his family, and a love for his country.

Shortly after I was sworn into office, Bill came to see me, to share with me some of his thoughts about what was important about being in this place.

□ 1010

Though he cared so passionately about issues, as Representative COURTNEY and Representative DELAURO mentioned, his passion especially for issues related to aging, the fact that he became, later on, the State's first commissioner on aging, what he cared maybe most about was the discourse in this place. Bill was a gentleman first, second, and third. He represented everything that people wanted government to be.

That's what we talked about when he came into my office that day, how you needed to fight for what you cared about in this place but do it in a respectful way. And I join with Representative COURTNEY in reminding everyone here that there are certain giants of this place that we can look to in trying to reorder the way in which we have conversations, and Bill Ratchford certainly was at the top of that list.

His commitment to public service built a legacy that in Danbury and throughout Connecticut we will remember for a long time. He will be terribly missed. My thoughts and prayers and those of everyone in the Danbury area are with Barbara and his family at this time.

I yield to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank Congressman MURPHY for yielding, and I want to join him in the remarks that he has made.

I had the opportunity to attend a memorial service and speak at a memorial service for my friend, Bill Ratchford.

Bill and I first met in the early 1970s. Bill had been speaker of the Connecticut House and was serving as president of the National Conference of State Legislatures. I was about to be president of the Maryland Senate, and

another former Member, Martin Sabo, was the speaker of the Minnesota House. The three of us became very good friends.

Later in the week, the next week, we lost an extraordinary American, Sarge Shriver. I had the opportunity to speak at his wake last Friday night.

The reason I mentioned Sarge Shriver, Bill Ratchford and Sarge Shriver were both extraordinary public servants who believed that service to others was their most important role in life in terms of their public service. Now, privately, they were both also representatives of extraordinary family leaders, revered by their families. And his sons, Bill Ratchford's sons, and Sarge's sons spoke at their memorial services. Shaun, Scott, and Brian spoke movingly of a father who was fully engaged and adored by his sons. Of course his wife, Barbara, a very close friend of mine for some 40 years, as was Bill, was revered as a mother.

So these two families, two extraordinary leaders that we have lost recently, represented the best in America.

Bill Ratchford was my friend. Bill Ratchford brought honor on this institution by his service. Bill and I had the opportunity to serve on the Appropriations Committee together, which was arguably, at that point in time, the most bipartisan committee in the Congress of the United States. I am not sure that's still true, but it certainly was then. Bill Ratchford was respected on both sides of the aisle for his decency, his intellect, and his commitment to making America a better country.

I am pleased to join my friend CHRIS MURPHY, who has been such a giant himself at a young age, but at an age when Bill Ratchford was becoming a major leader in their country.

I thank Bill Ratchford and his family for what they have contributed to this country. We lament his loss, but we celebrate his life, which was an extraordinary life well lived and a blessing to all who knew him and to his country.

STATE OF OUR UNION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Minnesota (Mrs. BACHMANN) for 2 minutes.

Mrs. BACHMANN. Mr. Speaker, I appreciate the opportunity to speak today.

This evening, we will hear from the President of the United States in his State of the Union address, and it is a privilege for the people of our country to be able to hear from our President what his remarks are about the State of our Union.

We look forward to hearing, Mr. Speaker, what the President's plan will be going forward to lift our country out of the high unemployment rates that we have been dealing with during these last 20 months. To have the unemployment rate in excess of 9 percent

and, in some cases, over 10 percent has been unacceptable. It's been a hardship for so many people in the Nation.

Also, I am looking forward to finding out what the President's pro-job growth agenda will be going forward. We want to get unemployment rates back to much lower levels so that families and businesses can thrive again.

Also, Mr. Speaker, I am looking to find out what will be the specific cuts that the President will be proposing. We haven't heard specific cuts so far. In fact, we have heard that the President may be referring to investments, meaning more spending yet again, spending that this country simply cannot afford because, as we know, Mr. Speaker, we are falling off the cliff in terms of debt increases. That is not good for the next generation of Americans.

Second, I am wondering what specific pieces of legislation that the President has proposed would he be willing to repeal. We know, for instance, that the cap-and-trade proposal that's working through the EPA will be one that will be a job killer. We know that for the health care law as well, that it is, in fact, a job killer.

Finally, I am wondering, Mr. Speaker, what areas of regulations the President would be willing to do away with. The President had made a statement last week that he wants to direct all of the agencies to look for regulations that would kill jobs. Well, we know that the EPA regulations will, in fact, do that, and we are wondering if, perhaps, the President would be willing to put those on the table and delay implementation of the cap-and-trade system through the EPA.

Finally, Mr. Speaker, we also know that with Americans paying in excess of \$3 a gallon for gasoline that it may be wise now to look at American energy production. What would those proposals be from the President? We look forward to hearing that this evening.

MAKE SERIOUS INVESTMENTS IN THIS COUNTRY'S FUTURE

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

Mr. YARMUTH. Mr. Speaker, tonight the President of the United States will deliver the State of the Union address, as we all know. If the reports are accurate, what he will talk about today is the need to make serious investments in this country's future.

Now, we have just heard from a colleague from the other side of the aisle, and we have heard from many Republicans over the last few days, concerning the issue of spending and whether or not we need to be spending any more money in this time of admittedly dire financial circumstances.

You know, most families, when they borrow money, they do it for two reasons: either for survival—they need to eat; they need to feed their children;

they may need a house for their family; they need to clothe them—or they borrow because they see an opportunity to invest and to make their lives better down the road.

Now, I know that many people don't think of government spending as investment. But if we look back not too long, just over recent history, the last few decades, we have seen numerous instances in which government investment has not only created jobs, it has spawned entirely new industries.

As a matter of fact, even though people made fun of Al Gore many years ago, the fact is that government investment actually created the Internet. Government investment, through the Defense Department and other research institutions, has created literally billions and billions of dollars in private sector growth and created thousands and thousands and thousands of new jobs.

We face a very difficult choice right now. We can sit back while the rest of the world advances, or we can make the tough choices right now to make serious and important investments that will not just create new industries but may, in fact, solve some of our most intractable problems. I am talking here about medical research, for one.

We now invest \$6 billion a year in cancer research. Cancer treatment and the cost to society because of cancer amounts to literally hundreds of billions of dollars each year. It costs Medicare. It costs Medicaid. It costs the private system. If we spent \$20 billion a year on medical research for cancer and over 10 years finally cured it, made it manageable in an inexpensive way, the long-term payback to this country would be enormous.

One of the problems with analyzing our health care reform proposal, now in the law the Affordable Health Care Act, is that we weren't able to factor in the long-term benefits of preventive care, research, more efficient operations, because they are not quantifiable.

□ 1020

But we know that if we could just deal with two major diseases, diabetes and cancer, then we would probably solve our long-term health care financial issues. So tonight the President will lay out choices for us. And I think this is a very, very important aspect of our public dialogue right now. We need to make sure that not only the American people, but also every Member of Congress, really understand what our choices are. Because it's very, very easy to stand up and say we're going to cut spending by \$100 billion in the Federal Government when you're not willing to talk about what specifically you're willing to cut. And my colleague from Minnesota just said the President may not be specific. Well, the fact is, Republicans haven't been specific either.

We need this laid out for the American people. We need it laid out for us.

We have difficult choices. We need to make them. I think the President is on the right track. We cannot cut back right now on medical research. We cannot cut back on the type of research that will create new industries, particularly in the energy field. We cannot cut back right now in education when the rest of the world is passing us by in terms of the achievement of their students. And we cannot cut back right now on investments in our infrastructure when much of it is crumbling around us.

So I look forward to the debate we're going to have over the next few months. It's an important debate. It's probably the most serious debate we've had in this country in decades, because we are at a crossroads. We can allow this country to become a secondary international power, or we can maintain our status as not just the world's largest economy, but the world's most ingenious economy, the world's most innovative country, and a society which cares about making life better for every American citizen.

CLEAN-ENERGY JOB CREATION

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

Mr. INSLEE. Mr. Speaker, I came to the floor this morning to talk about our excitement hearing the President tonight express that feeling of optimism, confidence and can-do spirit that has always epitomized America, and that is in the field of the development of our clean-energy job creation program.

I'm excited about it because, as we're coming out of this very deep recession, many of us believe that one of the brightest spots on our economic horizon is our ability to develop hundreds of thousands of new jobs in this country so that America can fulfill its destiny of leading the world in clean-energy development.

We believe it is our destiny to do that because we have always done that throughout America's history, leading the world in aeronautics, leading the world in software, leading the world in aerospace; and now we have a great opportunity to lead the world in the development of clean energy. And when we do that, we do believe that we will create hundreds of thousands of new jobs. And I look forward to the President's ideas on how to do that.

But I want to talk about where we are right now in our ability to do that. I remember I came to the floor 2 or 3 years ago and talked about the prospects of creating jobs in America in the creation of an electrified transportation system and our ability to electrify our cars. And when I did that, I remember I was criticized by some in this Chamber thinking, well, that was sort of a pipe dream, couldn't happen, that was Buck Rogers-kind of stuff that really wouldn't allow us to create jobs in this field.

Well, I want to bring us back up to where we are now this year to see what progress we've made. I want to mention three pieces of progress we have made that are going to, I think, be examples A, B and C of why the President's message of clean energy will be received well tonight:

Number one, this year is the General Motors Volt. It is a plug-in hybrid electric car, a car that you can plug in and go 40 miles all on electricity; and then if you want to go more than 40 miles, it has an internal combustion engine that will generate electricity to charge the battery that will run the wheels of the General Motors Volt.

And when I asked General Motors to bring the Volt to Capitol Hill a few years ago, people thought, interesting idea, will never work. Well, guess what. The General Motors Volt this year was North American Car of the Year a couple of weeks ago. It stunned the auto industry, and it is going to be one of the great leaders as we move to the electric cars of the future.

We have the domestic manufacturer, the Ford Focus, that we think is going to follow. Tesla is being manufactured here. We hope to see Toyota and Nissan produce electric cars here as well. These are the cars not of the future but of today. And we can lead the world in the manufacture if we do some of the things that the President will talk about tonight to electrify our auto transportation fleet.

Second, I want to talk about one of the most exciting events I've ever had as a U.S. Congressman, and that is last October I went to the Wooden Cross Lutheran Church in Woodinville, Washington. And I got to participate with that congregation in dedicating the very first electric charging station in America in a church parking lot. And I thought, this is a great thing for America that we are electrifying our transportation fleet, allowing Americans a place to plug in their electric cars.

And we dedicated this charging station. It's about 3½, 4 feet tall. And you pull up to it and plug in your electric car in the Wooden Cross Lutheran Church parking lot. The Good Book says "let there be light." Well, now let there be power, and verily there is power in this church parking lot. And there's going to be more power in thousands of places in America because of our stimulus bill which has allowed the creation of these electronic charging stations.

Third, I want to mention the production of batteries. We have grown something like—and I want to make sure I get the number right—700,000 clean-energy jobs doubling renewable energy manufacturing and generating jobs in America by the year 2012. And the clean-energy sector has grown 2½ times faster—faster than the U.S. economy in the last year and a half.

And one of the reasons is because we are growing an electric battery manufacturing capacity industry here in the United States. We only had 2 percent of

that capacity in 2009. We believe we can have 40 percent of the world's capacity by 2015. And if you want to think this is not a reality, go to Holland, Michigan, where because of our stimulus bill that we passed last year, we are putting hundreds of formerly laid-off auto workers to work in Holland, Michigan, making lithium ion batteries to run our electric cars. And that is happening because of what we did.

Let's grow these clean-energy jobs. I look forward to the President's speech tonight.

A MORE PERFECT UNION

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

Ms. JACKSON LEE of Texas. Mr. Speaker, as I was walking through the hallway, I encountered an individual who was enormously excited about the President's State of the Union. They happened to be a new employee of this House. This would be the very first time that they would have this privilege and this honor. I think it is important for us to recognize that it is a privilege and an honor. In essence it is a responsibility of this administration, of this President, to follow in the tradition in the law of the land that the President presents to the Congress, to the people of this great country, the State of the Union.

Frankly, I'm an optimist. I am so grateful that we live in a country that has a Constitution that has prevailed for so many years, that we have language in our Constitution that says that we have organized to create a more perfect Union, that the words of the Declaration of Independence are pressed upon our hearts: We hold these truths to be self-evident, that we all are created equal with certain unalienable rights of life, liberty and pursuit of happiness.

That's what I expect to hear from our President tonight, a man of passion and commitment and dedication, a man who feels the pain of this Nation, a man who has sacrificed his own personal prestige and popularity in order to make very difficult decisions.

The American Recovery Act, for example, went into the nooks and crannies of this Nation and built up small communities, provided extra police officers, provided more patient rooms, gave more resources to local hospitals and research institutions to make this country great and created jobs. And if you look at a grid that shows the job creation of the last administration, you will see that it is predominantly all red, jobs lost. But as we have struggled to build and climb, we aren't going in the right direction.

And so I would ask the President to stand his ground on investment in America and infrastructure in America. And I would say to this body that we must stand committed and dedicated to the protection of the vulner-

able. Does that mean increasing the deficit? No. I happen to have had the privilege of working on a balanced budget. It's exciting. We passed a balanced budget, and out of that we created the Children's Health Insurance Program and 22 million jobs in the last Democratic administration.

□ 1030

We can do that now. We can create jobs, and I would encourage the President to focus on the infrastructure. Why? Let me give you an example.

The city of Houston, now the third largest city in the United States based upon the census data that will be finalized in the month of February, we are in line after 30 years to create a world-class mobility system. We have been granted a billion dollars over a number of years, not wasting money because Texas happens to send more to the United States' tax coffers than we get back, but we will be creating 50,000 jobs by investing in a light rail system to move people forward, to eliminate the emissions crisis that we have, and to put people to work.

The crisis that we are now in with not having passed the appropriations of the 11th Congress, which I secured some \$150 million for us to start, stymies all of these need-to-build projects on bridges and freeways, on dams that need to be repaired. All of that creates the genius of America or boosts the genius of America and let's us work.

So, Mr. President, stand your ground on making sure that we move forward on infrastructure so that we can make it in America, meaning that Americans can make it, they can survive, they can improve their quality of life, and we can make it in America.

I want us to build the light railcars. Bring it on home. Let us build turbines that are part of wind energy. Let us build the solar panels. And, yes, let us build our buses and trains. Stand your ground, Mr. President.

And then for the most vulnerable of America, let's put it on the line that we are not going to touch Social Security. I know the panic that goes through senior citizens, the disabled, veterans who are dependent not only on the veterans' compensation but they are dependent on Social Security. Let's draw the line. And, too, the young people of America. Let's be very clear, you are not carrying the senior citizens. We are not taking out of your future. Remember the words of President Kennedy who said: Ask not what your country can do for you, but what you can do for your country. Social Security is an investment of those who have worked and those who are disabled.

And so, Mr. President, stand your ground tonight in this most privileged opportunity to speak to the American people. Bring us together as we will all be sitting with each other. So let us stand our ground for the future of America.

RECESS

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

Accordingly (at 10 o'clock and 33 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

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

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: "Open the door. Heighten the security. Gather the people. Proclaim a fast. Through the medium of television, enter in, and ready yourself to listen, America."

Lord God, today this House Chamber and its Members prepare this place and this Nation to welcome President Barack Obama tonight to listen to his State of the Union.

Guide and protect him, Lord. Grant him health, wisdom, prudence, and forbearance.

Help all Americans, Lord, for "we the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty" do assemble and ready ourselves to hear the President's message and act according to the Constitution that holds us together as a new order both now and for ages to come.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. POE of Texas led the Pledge of Allegiance as follows:

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

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. ALTMIRE. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 52

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON THE BUDGET.—Ms. Schwartz, Ms. Kaptur, Mr. Doggett, Mr. Blumenauer, Ms. McCollum, Mr. Yarmuth, Mr. Pascrell, Mr. Honda, Mr. Ryan of Ohio, Ms. Wasserman Schultz, Ms. Moore, Ms. Castor of Florida, Mr. Shuler, Mr. Tonko, and Ms. Bass of California.

(2) COMMITTEE ON FOREIGN AFFAIRS.—Ms. Schwartz, to rank immediately after Mr. Higgins.

(3) COMMITTEE ON HOUSE ADMINISTRATION.—Ms. Zoe Lofgren of California and Mr. Gonzalez.

(4) COMMITTEE ON VETERANS' AFFAIRS.—Ms. Linda T. Sánchez of California, to rank immediately after Mr. Michaud.

Mr. ALTMIRE (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER

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

FOREIGN AID TO CHINA—
ABSURDITY

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

Mr. POE of Texas. Mr. Speaker, the government is going broke. Government spends too much. It borrows too much. It taxes too much. One idea is to raise the government credit card limit.

It's like when my four kids went off to college. When they reached the maximum on their credit cards, the credit card company would simply raise their limit. Thus, they could spend more money by borrowing money. However, they all found out how difficult it was to get out of debt until they quit spending money.

Instead of more U.S. debt, why not cut spending? Start with foreign aid. There are 194 countries in the world, and the United States gives to over 150 of them.

Did you know we give money to dictator Chavez of Venezuela, the tyrant of South America? Did you know we give money to Russia?—and the zinger of all—did you know we give money to China? Yes, the country that owns most of our debt gets foreign aid.

This absurdity must cease. No more foreign aid to the likes of Venezuela, Russia or China.

And that's just the way it is.

BIPARTISANSHIP AND JOBS

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

Mr. BACA. Mr. Speaker, at tonight's State of the Union Address, it is vitally important that President Obama lays out an effective strategy for new job creation.

The economy is improving, and with more than 1 million private sector jobs created in the last year, more people are going back to work; but far too many Americans still find themselves without jobs, especially in my district in the Inland Empire, where unemployment is 14 percent.

At this time of enormous challenges, we must all recognize that the problems we face cannot be solved by a Democrat or a Republican solution alone. Only—and I state only—by working together and finding common ground will we overcome the obstacles in front of us.

I stand ready to work with all of my colleagues, Republicans and the tea party included, to think outside the box and create a better future for our children and our country.

As we prepare for the President's address tonight, I ask my friends on the other side of the aisle: Are you ready to work with us to move forward?

GIVE THE AMERICAN PEOPLE A
NEW DIRECTION

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

Mr. PENCE. Mr. Speaker, tonight the President of the United States will appear in this Chamber, as nearly every President has for more than 150 years, and report on the State of the Union, and we will receive him with the respect that is due his Office.

We are told in press reports that the President will focus on the future, on winning the future; but as the President said last Friday, "The past 2 years were about pulling our economy back from the brink"—and we expect to hear the same thing today.

But frankly, as most Americans know, during the last 2 years, this administration and the former majority in Congress met our present crisis with an avalanche of borrowing and spending and bailouts and taxes and takeovers and mandates. Far from pulling our economy back, the weight of debt and taxes and regulation have stifled our economic recovery.

Mr. President, we will not win the future with the failed economic policies of the past. As you come into this hallowed Chamber tonight, we urge you, Mr. President, for not just a new speech. Give the American people a new direction.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Members are advised to direct their comments to the Chair.

BUDGETLESS RESOLUTION

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

Mr. CICILLINE. Mr. Speaker, I rise today with serious concerns about the misguided agenda our friends on the other side of the aisle are pursuing.

While Democrats continue to make job creation, economic recovery, and debt reduction top priorities, the majority continues to engage in political theater. In fact, their first actions after assuming control of the House haven't created a single job or protected a single American business.

Instead, the other side's top priority has been to repeal the patient protections provided by the new health care reform bill; and their so-called "budget resolution" they have offered today is a one-page document with no specific cuts to reduce spending, no budget numbers and, most importantly, no ideas on job creation or on economic recovery.

Mr. Speaker, we were sent here to create jobs and get the American economy back on track, both the Republicans and Democrats. Let's stop the political gimmickry, and let's get to the work of putting the American people back to work.

DEFICIT REDUCTION PLANS—NOT
AMBIGUOUS GOALS

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

Mr. ALTMIRE. Mr. Speaker, as we look forward to tonight's State of the Union Address, it is important for all of us to keep in mind the most important issues to the American people: jobs, the economy, and deficit reduction. In the weeks and months ahead, we look forward to working together, Democrats and Republicans, to focus our legislative attention on these issues.

As we debate these issues, it is easy to simply identify the problem. We all know that unemployment is too high, that recovery is not as fast as we would like, and that the deficit is out of control; but the time for simply defining the problem has long since passed, and realistic solutions are long overdue. As we near completion of our first month of the new Congress, the American people are still waiting to hear the majority's specific recommendations on how to address these issues.

Tonight, we will hear from the President. I look forward to soon hearing from the majority some specific details about their deficit reduction plans, not just ambiguous goals.

□ 1210

HONORING FALLEN OFFICERS IN
ST. PETERSBURG, FLORIDA

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

Ms. CASTOR of Florida. Madam Speaker, I rise today to honor the sacrifice of two St. Petersburg, Florida, police officers who were killed in the line of duty yesterday.

Sergeant Tom Baitinger and Officer Jeffrey Yaslowitz were following up on a Fugitive Task Force warrant when they and a deputy U.S. marshal were ambushed and shot. Officer Yaslowitz was fatally shot while trying to arrest the dangerous fugitive; Officer Baitinger was shot while attempting to rescue his colleagues.

Officer Yaslowitz was 39 years old. He was a K-9 officer and had worked with his canine partner, "Ace," for the last 2 years. He is survived by his wife, Lorraine, and three young children. Sergeant Thomas J. Baitinger was 48 years old. He is survived by his wife, Paige.

As my colleague, Congressman BILL YOUNG, stated yesterday from this floor, we pray for their families, the St. Petersburg Police Department, Mayor Bill Foster, and Police Chief Chuck Harmon, and we honor the sacrifice of our community heroes and all who wear the uniform of service.

TONIGHT'S OFF-BROADWAY
PERFORMANCE

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

Mr. McDERMOTT. Madam Speaker, I want to give folks a preview of tonight's off-Broadway performance that will follow the President's State of the Union Address.

The stage will be the House Budget Committee hearing room. The actor in the one-man show will be Republican Representative PAUL RYAN from Wisconsin. The script will begin with something like, Hello, I'm Representative PAUL RYAN, and I'm speaking to you from the very location where the Democratic job-killing spending binge unfolded during the last 2 years. Unfortunately, the script for tonight's performance will not include the fact that Democratic investments have created more jobs during the last 2 years than were created during the entire 8 years of George Bush. You also won't hear about the one thing that Republicans fought tooth and nail for during the last 2 years: an extension of a budget-busting \$700 billion tax break for wealthy Americans.

Coming attractions? The chairman will have another show in the next week where he pulls a budget number from a hat filled with rabbits. That will be our budget number. Enjoy the show.

CALLING FOR TRANSPARENCY IN
CAMPAIGN FINANCE

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

Mr. McNERNEY. Madam Speaker, I rise to discuss the importance of reducing the influence of corporate special interest money in our elections.

As a result of the Citizens United decision, corporations and other special interests are free to pump unlimited sums of money into campaign attacks. And worse yet, because of this decision there is no good mechanism to keep money from foreign sources out of our elections. We need reform that brings transparency to the campaign finance system and protects the best interests of middle class families.

I will call on the new majority to work in a bipartisan fashion to bring transparency to the campaign finance system. I supported the DISCLOSE Act last year, and I believe this bill is a good first step. I will continue standing up for middle class families.

USING AMERICAN RESOURCES TO
CREATE JOBS

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

Mr. MURPHY of Pennsylvania. Madam Speaker, tonight we will hear about the State of the Union. I hope we hear the sometimes painful truth about the State of the Union: more jobs lost in the last couple of years and we need to do something about that.

But the answer is not more spending that leads us to a greater deficit and more borrowing from China. The answer is not to continue to have higher gas prices because we are buying our oil from OPEC, which they use to build their lavish palaces and drive their Rolls Royces while our communities are trying to find ways to afford the patching compound to patch up our potholes. What we need to be doing is taking action that uses our resources to create American jobs.

A bill that I am going to be reintroducing from last year is one that says, Let's stop this moratorium that prevents us from using our oil, from drilling our resources. We can actually create jobs and have about \$3 trillion-plus in Federal revenue without raising taxes, without raising our trade deficit, and without sending more money to OPEC.

I hope this is something this Congress considers and this President has an open mind to dealing with so that we can create jobs without creating more deficit.

STANDING TOGETHER FOR THE
ECONOMY

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

Mr. HIMES. Madam Speaker, tonight the President of the United States will stand in this Chamber and discharge his constitutional obligation to address the State of the Union for the Congress. I understand that many of my colleagues will be sitting together in a bipartisan way, and I think that's a good thing. What I really hope, though, is that we get commonsensical about where we are tomorrow, that as we talk about the economy, we agree that we should cut regulations which serve no purpose but to stifle industry, but that we should not attack the rules which keep our air clean and our water drinkable.

We can and we must reduce the deficit and get our fiscal house in order, but do not try to persuade the American public that we can fail to invest in schools, in railways, in highways, and in networks that will provide economic prosperity for decades to come.

I'm glad my colleagues are going to be sitting together in this Chamber tonight. What I really hope is that tomorrow we are standing together behind commonsensical changes that will make this economy strong.

LET'S DEAL WITH JOBS

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

Mr. CLEAVER. Madam Speaker, I, like all 434 other Members of this body, was elected to the 112th Congress. Shortly after arriving, I was told that the number one responsibility we had was to create jobs. So far, that has not been the case. We have given attention to health care, which I understood to have been one issue that we gave too much attention to. So my question today is, What about the jobs? When are we going to talk about jobs? I would like for somebody, anybody, to talk about jobs. When are we going to do the job of creating jobs? If we do our jobs, then we might be able to create some jobs; if we don't, nothing will happen.

Madam Speaker, I am urging the Members of this body, particularly those who are now in charge, to begin to deal with jobs.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mrs. CAPITO) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 25, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, 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 January 25, 2011 at 11:00 a.m.:

That the Senate agreed to without amendment H. Con. Res. 10.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

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 today.

STAFF SERGEANT SALVATORE A. GIUNTA MEDAL OF HONOR FLAG RESOLUTION

Mr. LATHAM. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 49) providing Capitol-flown flags for recipients of the Medal of Honor.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 49

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Staff Sergeant Salvatore A. Giunta Medal of Honor Flag Resolution".

SEC. 2. PROVIDING CAPITOL-FLOWN FLAGS FOR RECIPIENTS OF MEDAL OF HONOR.

(a) IN GENERAL.—At the request of a recipient of the Medal of Honor or an immediate family member of a recipient of the Medal of Honor, the Representative of the recipient or the Representative of the family member (as the case may be) may provide the recipient or the family member with a Capitol-flown flag, together with the certificate described in subsection (c), except that not more than one flag may be provided under this resolution with respect to the Medal of Honor recipient involved.

(b) NO COST TO FAMILY.—A flag provided under this section shall be provided at no cost to the individual receiving the flag.

(c) CERTIFICATE DESCRIBED.—The certificate described in this subsection is a certificate which is signed by the Speaker of the House of Representatives and the Representative providing the flag, and which reads as follows: "This flag has been flown over the United States Capitol, in honor of the service and sacrifice of recipients of the Medal of Honor, the highest honor awarded to members of the Armed Forces for valor in combat, with profound gratitude on behalf of the United States House of Representatives."

(d) DEFINITIONS.—In this section—

(1) the term "Capitol-flown flag" means a United States flag flown over the United States Capitol in honor of the Medal of Honor recipient involved; and

(2) the term "Representative" includes a Delegate or Resident Commissioner to the Congress.

SEC. 3. REGULATIONS AND PROCEDURES.

(a) IN GENERAL.—Not later than 30 days after the date of the date of the adoption of this resolution, the Clerk of the House of Representatives shall issue regulations for carrying out this resolution, including regulations to establish procedures (including

any appropriate forms, guidelines, and accompanying certificates) for requesting a Capitol-flown flag.

(b) APPROVAL BY COMMITTEE ON HOUSE ADMINISTRATION.—The regulations issued by the Clerk under subsection (a) shall take effect upon approval by the Committee on House Administration of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LATHAM) and the gentleman from Pennsylvania (Mr. BRADY) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, I rise today in support of H. Res. 49, providing Capitol-flown flags for recipients of the Medal of Honor.

Madam Speaker, the resolution is simple, its language is succinct, but it is so much more significant than mere symbolism. This resolution provides a family member or the Medal of Honor recipient themselves a U.S. flag flown over this Capitol, along with a certificate which reads, "This flag has been flown over the United States Capitol, in honor of the service and sacrifice of recipients of the Medal of Honor, the highest honor awarded to members of the Armed Forces for valor in combat, with profound gratitude on behalf of the United States House of Representatives."

Madam Speaker, the Medal of Honor is the highest honor awarded to members of the Armed Forces. And to these Medal of Honor recipients, we, as a country, as one Nation, and as this collective House are immeasurably thankful for their service, their sacrifice, and their bravery, which sometimes has meant giving that last full measure of devotion.

□ 1220

I am especially proud of Staff Sergeant Salvatore Giunta, a native of Clinton, Iowa, who is the first living recipient of the Medal of Honor since the Vietnam War and is here in the Capitol for the State of the Union Address this evening and a recognition ceremony tomorrow.

Sergeant Giunta's service embodies a spirit of selflessness, humility, and determination that Iowans are known for, both in the military and civilian life.

We pass this resolution as a heartfelt and profoundly sincere "thank you" to those receiving the highest of honors, the Medal of Honor. Madam Speaker, this resolution should garner overwhelming bipartisan support, and I

urge all of my colleagues to support H. Res. 49.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. I yield myself such time as I may consume.

Madam Speaker, this resolution recognizes the courage and sacrifices of Staff Sergeant Salvatore A. Giunta and other Medal of Honor recipients in defending their country in the line of duty. The Medal of Honor is the highest award of bravery that can be given to a member of the United States Armed Forces.

This resolution will acknowledge members of our Armed Forces that receive the Medal of Honor by providing them with a flag flown over the Capitol along with a certificate signed by the Speaker of the House. The flag would be provided at no cost to the recipient or family of the recipient.

May this small gesture serve as a constant reminder of our Medal of Honor recipients who act selflessly and heroically in defense of the freedoms that we, the American people, enjoy. I am pleased to support this resolution and urge all of my colleagues to vote "aye."

Madam Speaker, I now yield such time as he may consume to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I thank the gentleman from Pennsylvania for yielding.

Madam Speaker, I am particularly honored today to join my friend and colleague, Congressman LATHAM, in offering this resolution.

Tomorrow, the Iowa delegation will join the Chief of Staff of the Army, General George Casey, and Senator INOUE to honor and recognize Staff Sergeant Salvatore Giunta, the first living Medal of Honor recipient since the Vietnam War.

Staff Sergeant Giunta is from Hiawatha, Iowa, at the moment—although he was born and raised in Clinton. Hiawatha is a town I am proud to represent in the Second District. I first had the honor of meeting Sergeant Giunta—or Sal—while visiting our troops stationed overseas during the 2009 Thanksgiving holiday, and I was able to have Thanksgiving dinner with him at Vicenza.

What immediately struck me about Sergeant Giunta was his humility. He made sergeant in just 4 years. He was a veteran of two tours in Afghanistan by the time he was 22 years old. And while surrounded by Taliban fighters in the Korengal Valley in 2007 and having been hit twice himself, he ran directly into gunfire in order to save his wounded comrades and prevent a U.S. soldier from being captured.

Yet since being awarded the Medal of Honor, Sergeant Giunta has insisted that what he did to save his fellow paratroopers was nothing any other soldier wouldn't have done. He has insisted time and again, whether at the White House, the Pentagon, or at the State house in Des Moines, that he holds the Medal of Honor on behalf of his fellow servicemembers.

After being inducted into the Pentagon's Hall of Heroes, Sergeant Giunta refused to let the spotlight rest on him alone. Instead, he saluted those who had come before him and those who have made the ultimate sacrifice in defense of our freedom.

He said, "To all the ones that can't be here—not just one or two, but all of them—not just from the 173rd, not just from Battle Company, but from all services, from the Army, the Air Force, the Navy, the Marines, the Coast Guard, the National Guard, the Reserves: Everyone who has ever given so much more than I ever know, I want to say thank you, right now, to those men and those women because without them, I'm nothing. I haven't given anything compared to those who have given everything."

So I think it is especially appropriate that we have come together to pay tribute not just to Sergeant Giunta, and not just to his fellow Medal of Honor recipients of the wars in Iraq and Afghanistan, but to each of the 3,448 men and one woman who have received the highest military honor since President Lincoln signed into law legislation offered by a fellow Iowan to create the medal in 1861.

The Medal of Honor is reserved for those who are distinguished "conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty." It seems only appropriate that we, the people's House, honor their bravery, their service, and their sacrifice today by directing that the United States flag be flown over the Capitol in their honor.

For nearly a decade, the men and women of our All-Volunteer Force, as well as their families, have answered the call of duty and have served our Nation on two fronts often making great sacrifices and carrying out acts of unimaginable bravery that those of us here at home never read about here on the front page.

So even as we come together to honor the bravest of the brave, let us also honor every man and every woman who wears our Nation's uniform and who has deployed time and again, in many instances, to defend our Nation, missing moments large and small with their families in order to ensure that our freedom endures.

While he may not think of himself as such, to me, Sergeant Giunta is a true American hero. He is who I want my grandkids to grow up looking up to. And that is a sentiment shared by thousands of Iowans who are so tremendously proud of the soldier we've come to think of as our hometown hero.

I urge my colleagues to support this legislation as a small token of our appreciation for the incredible bravery demonstrated by Medal of Honor recipients of today and those of past times and past conflicts.

Mr. LATHAM. I want to thank my colleague, Mr. LOEBSACK from Iowa, for joining me in this resolution and his lead cosponsorship on this.

The Medal of Honor, like the gentleman just referred to, has quite a history with Iowa in that back on December 9, 1861, Iowa Senator James W. Grimes first introduced the concept of a medal of honor to promote the efficiency of the Navy at that time. And later on, there was another bill to also recognize people in the Army for their outstanding service and heroic actions.

I was very pleased back in 2002 to introduce a bill; I don't know how many people were aware at the time, but there was never a Medal of Honor flag. We had in Jefferson, Iowa, a memorial for Captain Darrell Lindsey, who was a Medal of Honor winner from World War II; and a man named Bill Kendall, an Army veteran from Jefferson, felt that it was inappropriate that we didn't have a flag there. So I introduced legislation. Bill Kendall from Jefferson, Iowa, actually designed what is the Medal of Honor flag today, and I am still so appreciative of what he did.

And now at the ceremony down at the White House when the Medal of Honor was given to this next great Iowan to see that flag there, it made me feel very, very proud of the contributions that so many people, Iowans, people all across this country have made and sacrificed for a country for the kind of honor they deserve. So I'm just very proud of the history we have, and I think this is a very appropriate way of recognizing those contributions.

With that, I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Madam Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. BOSWELL).

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

□ 1230

Mr. BOSWELL. Madam Speaker, I rise today as a cosponsor of House Resolution 49, the Staff Sergeant Salvatore A. Giunta Medal of Honor Flag Resolution. As the first living Medal of Honor winner since the Vietnam War, Staff Sergeant Giunta richly deserves to be honored by this House.

The resolution is simple: It provides every Medal of Honor winner or their family with a flag flown over the Capitol in tribute to their service. In addition to this resolution, tomorrow we all have the opportunity to join the Chief of Staff of the Army and distinguished guests at a ceremony and reception in the Congressional Auditorium to honor this soldier of whom all Iowans and Americans are incredibly proud.

I am not surprised that, in spite of this praise, Sergeant Giunta has humbly refused to be seen as exceptional. He has at every moment sought to deflect recognition onto his fellow soldiers, men and women in uniform, who serve us bravely every day to support and defend our country and the Constitution. I know all too well that Sergeant Giunta is right and that every

day our men and women in uniform, and their families, offer courageous service that deserves to be recognized.

My hope is that as we honor Sergeant Giunta for gallantry above and beyond the call of duty, we may by extension offer to every member of our Armed Forces and their families our profound gratitude on behalf of the country, his country, our country, and the United States House of Representatives.

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

Mr. LATHAM. Madam Speaker, I would just like to say what an honor it is for me to be part of the ceremony tomorrow to honor Staff Sergeant Giunta. Really, he is a model for what people in the military today, the service that they give, the humility that he possesses in the statements that Mr. LOEBSACK made about the fact that in his acceptance he talked about this was not an award and Medal of Honor for him, but for all of his comrades in arms, and how it should be given to everyone who acted so bravely that day. But that certainly is part of what Staff Sergeant Giunta is all about.

The fact that he is such a humble person, someone who believes in the mission, someone who willingly was there to sacrifice himself to save one of his comrades, I think it is so appropriate that we have this recognition today and that we honor all the people in the service today.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LATHAM) that the House suspend the rules and agree to the resolution, H. Res. 49.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

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

Mr. HENSARLING. Madam Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 53

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON THE BUDGET.—Mr. Chaffetz, to rank immediately after Mr. McClintock; and Mr. Guinta.

(2) COMMITTEE ON HOMELAND SECURITY.—Mr. Brooks.

Mr. HENSARLING (during the reading). Madam Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TEMPORARY EXTENSION OF SMALL BUSINESS PROGRAMS

Mr. GRAVES of Missouri. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 366) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 366

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled “An Act to extend temporarily certain authorities of the Small Business Administration”, approved October 10, 2006 (Public Law 109-316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111-251 (124 Stat. 2631), is amended by striking “January 31, 2011” each place it appears and inserting “May 31, 2011”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 30, 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. GRAVES) and the gentleman from New York (Ms. VELÁZQUEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. GRAVES of Missouri. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days 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 Missouri?

There was no objection.

Mr. GRAVES of Missouri. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we have a big job ahead of us in the 112th Congress. Unemployment remains above 9 percent, and millions of people are out of work. Entrepreneurs are struggling to create jobs and grow their businesses amid threats of higher taxes and more unmanageable Federal mandates. Our economic recovery has been erratic at best. Hard work lies ahead to reduce

the uncertainty, to create new jobs and restore confidence in our economy.

Today, we are discussing a simple extension of programs overseen by the Small Business Administration through May 31, 2011. Enacting this legislation is a critical first step towards giving small business owners some certainty while we continue to fully examine all of SBA's programs and make necessary changes to improve SBA services. Enacting this legislation will give our new majority the opportunity to explore new and innovative ideas to improve the services offered by the SBA.

I am humbled and honored to serve our country's entrepreneurs as the chairman of the Small Business Committee, and I look forward to working with Ranking Member VELÁZQUEZ to enact a more permanent reauthorization in a timely manner. The two of us have had an excellent working relationship over the past 2 years, and I have no doubt this is going to continue in the future.

Madam Speaker, we are all eager to get the work done on restoring America's faith in government and reducing the uncertainty that prevails throughout our economic sectors. We can take this first step by approving this temporary extension and laying the groundwork for a full reauthorization that will bring these programs into the 21st century.

I urge my colleagues to vote “yes” on this bill before us.

I reserve the balance of my time.

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

Madam Speaker, the role of small businesses is critical to creating new jobs. With the economy continuing to face challenges on several fronts, we need small firms more than ever. Time and again, they have generated the ideas and know-how that spark job growth. However, entrepreneurs face challenging economic headwinds. Small businesses continue facing obstacles accessing capital, and sales remain flat. Given these realities, we need to make sure that small firms have the resources and tools to start up or expand.

The legislation we are considering today does this and extends the authorization of the several important Small Business Administration programs. Through these initiatives, firms can secure financing, receive training, or compete more effectively for Federal contracts.

While we must keep these programs operational, it is unfortunate that we are doing so through another temporary extension. Last Congress, the House passed 14 bills updating all of SBA's financing and entrepreneurial development programs. However, while the Senate was able to report a few measures out of committee, they were unable to actually pass any legislation affecting these programs through the Chamber. As a result, we are here

today to temporarily extend the SBA's initiatives.

Small businesses across the Nation depend on a strong SBA. This is especially true now, when many unemployed individuals are turning to entrepreneurship as a source of income. By ensuring that the agency's programs do not lapse, we are providing small businesses with the foundation for future growth and, in doing so, helping move the economy forward.

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

□ 1240

Mr. GRAVES of Missouri. Madam Speaker, in order to close this debate, let me reiterate that small businesses are going to lead this economic recovery, but we have to provide them with some certainty first. Enacting this legislation before us is going to do just that and let entrepreneurs know that we are back on their side.

Once again I urge my colleagues to support this legislation. I look forward to working with Ranking Member VELÁZQUEZ and our colleagues on the Small Business Committee for a more permanent extension.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. GRAVES) that the House suspend the rules and pass the bill, H.R. 366.

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.

REDUCING NON-SECURITY SPENDING TO FISCAL YEAR 2008 LEVELS OR LESS

Mr. DREIER. Pursuant to House Resolution 43, I call up the resolution (H. Res. 38) to reduce spending through a transition to non-security spending at fiscal year 2008 levels, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 43, the amendment in the nature of a substitute recommended by the Committee on Rules printed in the resolution is adopted and the resolution, as amended, is considered read.

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

H. RES. 38

Resolved, That, pursuant to section 3(b)(1) of House Resolution 5, the Chair of the Committee on the Budget shall include in the Congressional Record an allocation contemplated by section 302(a) for the Committee on Appropriations for the remainder of fiscal year 2011 that assumes non-security spending at fiscal year 2008 levels or less.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) and the gentleman from Massachusetts (Mr. MCGOVERN) each will control 30 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. DREIER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution that is before us.

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

There was no objection.

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

One of the indelible and enduring images of 2010 was that of violent protesters on the streets of Athens following the proposal of the government to impose austerity measures. We all remember very vividly that scene.

Having come to the brink of collapse and nearly dragging the entire euro zone with it, the Greek government had no choice but to scale back its profligate ways. Thousands of public employees took to the streets in anger.

Now, Madam Speaker, I contrast that with the image of tens of thousands of peaceful demonstrators across America coming out to express their frustration with excessive government spending. Rather than demanding more Federal largesse, these taxed-enough-already demonstrators actually came together to petition their government for greater restraint and discipline. This might actually have been a first in human history.

It was a powerful illustration of the unique nature of American values. But it was also a testament to just how badly fiscal discipline is needed. This issue is no longer just the purview of budget wonks and economists.

The looming crisis of our national debt is a challenge that working Americans recognize very clearly. While the magnitude of a \$14 trillion debt is simply too massive to truly comprehend, those with a modicum of common sense can appreciate the crushing weight that will fall on future generations. If we do not immediately change course, the damage could quickly become irreversible.

Today's resolution is a clear signal that we are making that change in course. House Resolution 38 is the first step, Madam Speaker, in what will be a long and admittedly difficult process over the next 2 years as we pursue the goal of living within our means. This resolution lays down a marker to return to pre-bailout, pre-binge-spending, pre-stimulus levels. This resolution provides the framework under which we will finally dispense with the fiscal year 2011 budget which the previous Congress, unfortunately, failed to do.

Nearly halfway through the fiscal year—we are nearly halfway through the fiscal year—now the imperative is to responsibly finish the work that is really very, very urgent for us to approach and deal with at this moment.

Once we move beyond this task, we will immediately pivot to fiscal year 2012. We will craft a budget, we will

consider alternatives, with a full debate, and then this House will pass a budget.

We will then proceed with consideration of appropriations bills. We will return to the traditional, open process that always governed our appropriations bills prior to the last couple of years. This will ensure full accountability and true collaboration and restore the deliberative traditions and customs of this body.

There will be very tough choices ahead. Very tough choices need to be made. There is no doubt that we will engage in heated debate, and I suspect we will in just a few minutes right here. But we simply cannot afford to put off the hard work any longer. Madam Speaker, today we take the first step. I urge my colleagues to support this resolution.

I reserve the balance of my time.

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

Madam Speaker, I rise in very, very strong opposition to this resolution. As I said yesterday during the debate on the rule, there are numerous, serious problems with this resolution.

First, it's meaningless rhetoric. My friends on the other side of the aisle like to talk a lot about cutting government spending, but the resolution before us doesn't cut a single dollar from the Federal budget; not a single cent.

The Republican Study Committee recently proposed \$2.5 trillion in budget cuts and their chairman, Mr. JORDAN from Ohio, said the following when he introduced this plan:

"One hundred billion dollars is the number the American people heard last fall. It seems to me we should be able to find \$100 billion."

Yet even after pledging a \$100 billion cut in funding, the distinguished chairman of the Rules Committee couldn't come up with a number when we asked yesterday, and instead produced what is most likely the first budget resolution in history that doesn't contain any budget numbers.

That might be because the Republican majority can't seem to figure out what the numbers should be. We have heard all kinds of numbers. We have heard \$30 billion, \$50 billion, \$100 billion and beyond.

But I suspect, Madam Speaker, that's because the Republican majority is discovering that it's a lot harder to walk the walk than it is to talk the talk, and it is a lot easier to say things in a campaign than it is to do things in a legislative body. They are realizing that when you start trying to make those kinds of cuts, you start seriously affecting the American economy and the American people.

We are told that the Congressional Budget Office will produce some numbers tomorrow. I wonder why we couldn't wait until tomorrow to debate this resolution, but the answer is obvious. The President of the United States will be here this evening for the State of the Union address, and the Republican majority needs a new set of talking points.

It's that kind of politics—where message is more important than substance—that makes the American people cynical about Washington.

□ 1250

Second, the resolution continues the dangerous precedent of giving one individual, the chairman of the Budget Committee—rather than the full membership of this House—the ability to set spending levels for the Federal Government. And third, the resolution's vague and unjustified wording that only targets “non-security” spending, even though everyone from Secretary Gates to Speaker BOEHNER has recognized that waste exists in the Department of Defense and in the Department of Homeland Security and other security-related agencies. It says a great deal about the priorities of a new Republican majority that they will treat wasteful contracts and redundant weapons systems as sacred, but would put Pell Grants, medical research, food safety, FBI, ATF and DEA agents, and other vital programs on the chopping block.

Of course, when we Democrats have the audacity to talk about the need to protect those important programs, our Republican friends grow indignant and head to the fainting couch. “Oh, no,” they say, “we would never cut those things.” But Madam Speaker, the numbers just don't add up. When you start saying that popular program after popular program will be protected, you realize that it would take massive cuts in other parts of the budget.

When we talk about exempting only security programs, it means that other programs will need to be cut by 30 percent below current levels. That means the Department of Justice has to cut 4,000 FBI agents, 800 ATF agents, 1,500 DEA agents, and 900 U.S. Marshals. Federal prisons have to cut 5,700 correctional officers, and the Federal Government will lose the capacity to detain 26,000 people because of their immigration status.

Of course, the distinguished chairman of the Rules Committee said we're not going to cut the FBI, as he said yesterday, so I can only assume that means more ATF agents, DEA agents, and U.S. Marshals will be fired by the Republicans. I can only assume that this means more than 26,000 people in this country illegally won't be in Federal custody. That's the Republican agenda?

Madam Speaker, I think former Secretary of State Colin Powell said it best this weekend: “I'm very put off when people just say, let's go back and freeze to the level 2 years ago. Don't tell me you're going to freeze to a level. That usually is a very inefficient way of doing it. Tell me what you're going to cut.”

As I urge my colleagues to reject this misguided resolution, I ask my Republican colleagues, what's the number? And what are you going to cut?

I reserve the balance of my time.

Mr. DREIER. Madam Speaker, I yield myself 30 seconds to say to my good friend, again, that this is the beginning of a process. We have been saddled with a situation where for the first time since the implementation of the 1974 Budget and Impoundment Act, we have no budget. And so what is it we've been left to do? Nearly halfway through the fiscal year, we are faced with this challenge. We now are in a position where we are going to begin going through regular order to ensure that we have a budget, which we didn't do last year, and have an open, free-flowing debate on the amendments through the appropriations process. And I will say to my friend, the defense issues are going to be a high priority when it comes to oversight and scrutiny.

With that, Madam Speaker, I would like to yield 3 minutes to my very good friend and colleague, the distinguished chair of the Committee on the Budget from whom we are going to be hearing later this evening, the gentleman from Janesville, Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. I thank the chairman for yielding.

Madam Speaker, I'm enjoying sort of the hyperbolic rhetoric we are hearing here today about one person, one committee, one man dictating in all these things, as if it's an unprecedented action. Well, this move is not unprecedented. The reason this is necessary is unprecedented. It is unprecedented since the 1974 Budget Act passed that Congress didn't bother to pass or even propose a budget.

Madam Speaker, the reason we are here today is because the last majority last year didn't even bother trying. That means we have no budget in place. And with no budget in place, there's no Budget Act to enforce. That means government is going and spending unchecked. No limits. No policemen on the beat. Nothing.

Why are we giving this kind of power to the chairman of the Budget Committee to put these numbers in? Because we don't get the numbers from the Congressional Budget Office until tomorrow. And we've said all along what we aim to do: bring discretionary levels down to pre-bailout, pre-stimulus levels. And then for all the authorizing committees, it has put the CBO baseline in place. The CBO baseline doesn't exist right now. It comes tomorrow. So what we are simply trying to do, Madam Speaker, is get some sense of limits back on spending, is to get some sense of a budget process back in place. We don't think we should have a system, a spending process, without restraints, without limits, without any prioritization. That is exactly why we are doing this.

Business as usual has to come to an end, Madam Speaker, and we've got to put limits on spending. And that is why we have a Budget Act, to police the spending process to make sure that it conforms. But there is no Budget Act, there is no number to police, because they didn't do a budget last year. That

is exactly and precisely why this measure is necessary.

So all the rhetoric aside, the days are over of unlimited spending and of no prioritization. And the days of getting spending under control are just beginning. This is a first step in a long process. This is a minimal, small down payment on a necessary process to go forward so that we can leave our kids with a better generation, so we can get this debt under control, so the spending spigot can close, and so we can do right by our constituents and treat their dollars wisely.

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

I'm glad the chairman of the Budget Committee finally joined this debate. And I would say two things. One is that last year we passed the Budget Enforcement Act with real numbers in it, and we voted on it, and it was significantly less than the numbers that the President had proposed, number one. Number two, one of the things that we proposed in the Rules Committee was an amendment to allow Members of the House, on both sides of the aisle, to be able to vote on the number. And that was rejected on party line as somehow a radical idea. And then the chairman of the Rules Committee talks about this free-flowing debate we are having. We are having this debate today under a closed rule, and so there's no opportunity for amendment.

Mr. DREIER. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

I would like to point to our colleagues, Madam Speaker, H. Res. 38. It is literally a one-sentence measure, a one-sentence measure which says that our goal is to get to 2008 levels of spending or less.

Mr. MCGOVERN. I thank the gentleman, and I reclaim my time. I appreciate the brevity of the bill, but that doesn't mean the bill doesn't have a very negative impact. And when we tried yesterday to protect the FBI and enforcement agents from cuts, that was voted down. So we are very concerned because we don't know what the number is. And I think people in this Congress on both sides of the aisle, the American people, ought to know what we're talking about. Is it \$100 billion? Or is it more? Where is it? And where are those cuts going to come from when you keep on exempting programs?

With that, Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague.

Here we are a day later. Yesterday we asked our colleagues, what's the number going to be? What's going to be the spending ceiling for this Congress and for the United States Government? They didn't have it yesterday, and we don't yet have it today. It's a budget resolution without a budget number.

Now we've heard a lot of talk about what happened last year. What this budget resolution relates to is 2011. In fact, this body voted last year on a Budget Enforcement Act. I have it right here in my hand. And it set budget ceilings. It had a real number. Some people voted for it, some people voted against it, but this body did what it always does when it makes decisions of this magnitude. We took accountability for it.

Now you have a resolution that violates the pledge of transparency because it doesn't have a single number in it, and it violates the pledge of accountability because you're asking every other Member of this body to contract out his or her vote to one person. Now I have great respect for the chairman of the Budget Committee. And I, too, congratulate him on being selected to give the response to the State of the Union address.

This isn't about a particular individual. It's about all of us taking responsibility for a major decision. And what this resolution does is contracts out that responsibility. It doesn't have a number. We don't know if it's going to be \$100 billion. We don't know if it's going to be \$80 billion. We don't know if it's going to be \$40 billion. We don't know if it's going to be the number that the Republican Study Committee wants, which the majority leader said good things about. We don't know.

What we do know is this, that the bipartisan deficit and debt reduction commission told us two things: Number one, we need to act now to put this country on a fiscally sustainable path, and we should do that by working together. They also said another thing, that deep immediate cuts beyond what had been put in place and recommended by the fiscal commission would hurt the economy when it's in a very fragile state and risk throwing more Americans out of work. That would be a terrible mistake.

And yet our colleagues want us to make a decision to vote on this without telling us what the number is. So when we asked what the number was, they said, we're waiting for the Congressional Budget Office. When will the Congressional Budget Office have its numbers? Tomorrow, 24 hours from now. Then we can do the right thing, we can see what the cuts will be, and we can make a decision as a body taking responsibility for this decision.

Why is it we are not waiting 24 hours? Well it's pretty obvious. A little later today, the President of the United States will be here to deliver the State of the Union address, and instead of being serious about this number, they want to deliver a press release. That is what this is about without a number. Otherwise we would wait 24 hours and our friends could tell us what that number would be.

□ 1300

You are asking this body to buy a pig in a poke. And the reason it is so serious is that numbers have consequences.

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

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

Mr. VAN HOLLEN. And my friend from Massachusetts talked about this earlier, whether it is \$100 billion or \$80 billion or \$20 billion, those numbers all have consequences because on the other side of the aisle when we say, well, are you going to be cutting research to find cures and treatments for cancer or diabetes, no, we're not going to cut that. Are you going to cut the FBI agents involved in antiterrorism efforts? No, we would never want to cut that. What are you going to cut?

And the magnitude of those cuts and the negative impact on jobs and the economy will be determined by what, by the number in this bill, a number that we don't get to vote on that you are giving the chairman of the Budget Committee sole authority to pick out of a hat.

Mr. DREIER. Madam Speaker, I yield myself 30 seconds to respond to my friend by saying a couple of things.

Unfortunately, we have begun by degenerating the debate to the sky-is-falling mentality again, that we're going to be cutting NIH funding; we're going to be gutting FBI agents. We are beginning the process of getting our fiscal house in order.

Madam Speaker, I think it is important to note that while both of my friends have used the term "press release," H. Res. 38 is going to be a statement from the United States House of Representatives that we are today, before the President, at 9 this evening, stands here in this Chamber and delivers his State of the Union message, that we are committing ourselves to reduce the level of spending.

At this point I yield 4 minutes to my very good friend and classmate, the distinguished new chair on the Appropriations Committee, the gentleman from Somerset, Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Thank you, Mr. Chairman, and thank you for your great service to our country over the time we have served together here. We are classmates from 1980. We were part of the Reagan crop.

Madam Speaker, this is the first step in the effort to reduce discretionary spending to fiscal 2008 levels or below and show the American people that we are serious about reducing the out-of-control government spending that is hampering our economic growth.

Now, the gentleman on the other side of the aisle complains that he does not see a number. Well, he had a chance last year, along with his colleagues in the majority then at that time, to pass a budget resolution with specific numbers in it, and refused. And they refused until they lost control of the House. The number will be coming in due course of time.

The message from the American people was crystal clear in the last election: they want government to spend

less, stop undue interference in American lives and businesses, and take action to create jobs and get our economy moving once again.

To do this, we must dramatically cut the massive spending that has dominated discretionary budgets in past years. In order to put our economy on the fast track to recovery, we have to shorten the reach of Uncle Sam, cut up his credit cards, and allow Americans' businesses the opportunity to grow, employ people, and make the economy grow.

Starting with the continuing resolution, the CR, my committee will begin to make the largest series of spending cuts in history, Madam Speaker. Members and staff are working diligently on this as we speak, going line by line to find specific areas and programs to cut. We hope and expect this legislation will soon be brought to the floor in a fair, open and transparent manner, giving all Members from both sides of the aisle an opportunity for amendments.

Let there be no mistake: the cuts that are coming will not be easy to make. They will not represent low-hanging fruit. These cuts will go deep and wide and will hit virtually every agency and every congressional district in the country, including my own. Every dollar that we cut will have a constituency, an industry, an association, and individual citizens who will disagree. And every dollar that we don't cut will also be put into question.

But the fact remains that we are in a national fiscal crisis. We must get our budgets—both discretionary and mandatory—under control. To this end, my committee will put forward appropriations bills this year that will fulfill our pledge to cut spending to the pre-stimulus, pre-bailout levels of 2008. And this will be the beginning—not the end—of the effort.

I have issued instructions to all 12 of our subcommittees to conduct strenuous oversight, including investigations and hundreds of hearings to weed out duplicative, wasteful and unnecessary spending, and prioritize Federal programs so we can make the most out of every precious tax dollar.

Madam Speaker, it is clear that cutting spending will require toughness and resolve. This will not be easy, it will not be quick, and it won't be without pain, but the success of our economy and our future prosperity depend on it.

Mr. MCGOVERN. Madam Speaker, I have great respect for the chairman of the Appropriations Committee, and I appreciate the fact that we are going to have to make tough choices; but he as well failed to tell us what the number is or what those tough choices are going to be. Are we going to cut medical research, Pell Grants, food safety, small business loans, job training programs, LIHEAP, summer food programs for the hungry? What are we going to cut?

I think that Members on both sides of the aisle deserve to know what the

number is so we can figure out what the pain is going to be. For the life of me, I can't understand, and I don't think the American people can understand, why Members of this House will not be given an opportunity to vote on that number. We ought to have that right.

I yield 30 seconds to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Madam Speaker, we just heard from the chairman of the Appropriations Committee that there was no ceiling for 2011 in place. I am going to make a copy and ask the pages to distribute this. This is the Budget Enforcement Act for last year, for fiscal year 2011, and there you have the budget ceilings, whereas what you are proposing is a piece of paper that doesn't set the budget ceilings and doesn't contain any of the numbers in it.

I would just ask the chairman of the Rules Committee this: During the hearing, you said we're going to wait for CBO; CBO's numbers are coming tomorrow. Tomorrow are you going to have a number for us?

Mr. DREIER. Will the gentleman yield?

Mr. VAN HOLLEN. For an answer to that question, I would be happy to yield.

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

Mr. VAN HOLLEN. My time has expired.

Mr. DREIER. Would the gentleman yield to me to respond?

Mr. MCGOVERN. I yield 10 seconds.

Mr. DREIER. I thank my friend for yielding, and let me just say that clearly the budget that we have right now expired at the end of the Congress. We know that very well. And we look forward to numbers which will be coming out from both your new committee, the Budget Committee, and the Appropriations Committee as well.

Mr. VAN HOLLEN. Twenty-four hours, Mr. Chairman. Will you have a number tomorrow?

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

Mr. DREIER. Madam Speaker, with that I am very happy to yield 1 minute to my good friend from the Harrison Township of Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Madam Speaker, this past election was certainly a historic pivot for our Nation. The American people demanded that both the President of the United States, as well as the Congress, chart a new course because they understand that the growth of Federal spending that we have seen for the last several years is completely unsustainable. They understand that this crushing burden of debt that we are selfishly placing on our children and our grandchildren is limiting their opportunities. And they also understand very clearly that this irresponsible, out-of-control Federal spending

is limiting our ability for job creation and economic growth.

Today, this resolution clearly speaks to the House Republicans' Pledge to America by demonstrating our commitment to reduce spending to pre-stimulus, pre-bailout levels, to a level of spending of 2008.

Many would say, Madam Speaker, that this doesn't even go far enough, and that debate will continue this year as we debate the CR, the budget resolution, and the vote for raising the debt ceiling. Today, Madam Speaker, I would urge all of my colleagues to vote "yes" on this resolution and let the American people know that we heard them loud and clear in November.

Mr. MCGOVERN. Madam Speaker, I think what the American people are interested in is serious legislating and serious discussion on how to get this budget under control and not political posturing.

At this point I would like to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

□ 1310

Mr. ANDREWS. I thank the gentleman for yielding.

All those who care for and think about the 15 million unemployed people in this country, on both sides of the aisle, want the Congress to work together to help small businesses and entrepreneurs create jobs for Americans, but the new majority, right out of the gate, has ignored that obligation.

The first week, they ignored the deficit and passed a set of rules that says they can pretend it doesn't exist when they want to do something. Then they increased the deficit by repealing the health care bill. The Congressional Budget Office says that adds \$230 billion to the deficit over 10 years and more than \$1 trillion over 20 years. This week, they are hiding the deficit. They brought to the floor a bill that wants the American people to guess what the numbers will be under which we will live in the future.

This is not the way to create jobs, either generally or specifically. Here is one fact the Members ought to take into consideration. Last year, the departments that would be subject to up to a 25 percent spending cut under this bill made a million contracts with small businesses that gave \$60 billion worth of work to caterers, electricians, other small businesses.

What will happen to the jobs created by those small businesses if this 25 percent cut goes through?

Now, I say a "25 percent cut" advisedly, because I do think we want to take one more attempt at finding out, and I would yield to the chairman of the Rules Committee, will the spending bill that eventually gets here cut by 25 percent to 2006 levels or by 22 percent to 2008 levels? I would yield to anyone on the other side who could answer that question for us.

What will the number be in the bill that eventually gets here?

Mr. DREIER. I'm sorry. I was talking to my new colleague, Mr. MULVANEY, here. If the gentleman was yielding to me, I apologize, but he will have to repeat the question.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. ANDREWS. The question that I asked was:

Will the bill that eventually gets here that has numbers in it have a 25 percent cut by going back to 2006 or a 22 percent cut by going back to 2008?

Mr. DREIER. If the gentleman would yield, I am happy to answer my friend by saying that the House will work its will. It is one of the things that Speaker BOEHNER has made very clear.

I thank my friend for yielding.

Mr. ANDREWS. Reclaiming my time, I would ask what the bill that the leadership brings to the floor will ask for. Will it be a 25 percent cut that goes back to 2006 or a 22 percent cut that goes back to 2008?

Mr. DREIER. Will the gentleman yield?

Mr. ANDREWS. I yield to my friend.

Mr. DREIER. I thank my friend for yielding.

Let me say, Madam Speaker, that Speaker BOEHNER, who is the leader of this House, of both Democrats and Republicans alike, and who is obviously the leader of Republicans, said this morning in a meeting, as he has said repeatedly, the House is going to work its will. We are going to do something that hasn't been done, especially in the appropriations process in the last 2 years. We are going to have a debate that will allow a majority of this institution to determine what those numbers are.

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

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

Mr. ANDREWS. Reclaiming my time, that sounds awfully familiar. We were promised an open process, but it was a closed process on health care. We were promised an open process, but it was a closed process on this bill. That sounds to me like a promise we have heard before that really hasn't been honored thus far in this Congress.

I would urge a "no" vote.

Mr. DREIER. Madam Speaker, I yield myself 30 seconds to say to my friend, as we talk about an open process, my Rules Committee colleagues know that just a few minutes ago, for the first time in 4 long years, the Rules Committee reported out a modified open rule that will allow a free-flowing debate tomorrow right here on this House floor.

I should say, Madam Speaker, that H. Res. 38 is literally one sentence, which says that this institution is committed to getting our level of spending to 2008 levels or less—or less, Madam Speaker—and I think it's important for us to note that.

We have the chairman of the Budget Committee, as I started to say in response to my friend, we have the Appropriations Committee chairman, and we are determined to begin a process.

With that, I am happy to yield 2 minutes to my great new friend from Indian Hills, South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Thank you, Mr. Chairman.

I rise in favor of the resolution.

I am just happy to be able to have this debate this year. I can tell you, Madam Speaker, that we were campaigning last year during 2010. As freshmen, we never expected to have the ability to come into this Chamber this year and talk about the FY 2011 spending. We thought that that would be long before we had gotten here, and I thank my colleagues from across the way for failing to pass a budget last year so that we have the opportunity to have this debate with this new Congress.

For me—and I know, Madam Speaker, for many of my colleagues—the key language in this resolution is 2008 levels or less. It's that “or less” that, I think, has a lot of the attention of the freshmen.

In a world where discretionary spending is up 88 percent in the last 2 years, in a world where we have borrowed \$3 trillion in just the last 2 years, in a world, Madam Speaker, where we borrowed more money in one day—we borrowed more money on June 30, 2010, than we borrowed in all of 2006—in that world, those two words “or less” are what speak to me and so many Members of the freshman class.

I thank the Rules Committee, and especially the chairman, for making sure that language is in there, and I am looking forward to exploring that when this bill comes to the floor.

Mr. MCGOVERN. Madam Speaker, I enjoyed the previous speaker.

I would just simply ask: What is the problem with telling us what the number is and what you're going to cut?

The number is important because that does determine what you are going to cut. It determines what the allocations are going to be to the various appropriations committees, and they have real consequences. The notion that we are doing something bold here by coming up with this arbitrary, you know, statement that it's 2008 or less levels we're going to go to without any detail, without any numbers, without anything of anything, is political posturing at its worse.

With that, I would like to yield 2 minutes to the gentlewoman from California (Mrs. CAPPs).

Mrs. CAPPs. I thank my colleague for yielding.

Madam Speaker, I rise in strong opposition to this misguided and misdirected and destructive resolution.

The American people have charged us with creating jobs and strengthening our economy. My colleagues in the majority appear more focused on getting

in a good sound bite before tonight's State of the Union.

Procedurally, this resolution empowers a single person to decree the entire Nation's budget for the rest of the year—no hearings, no markups, no vote. And this plan is nothing more than a gimmick that will destroy jobs.

For example, reverting to 2008 budget levels will cut more than \$17 million from the National Health Service Corp. This program trains and employs health care providers, all while caring for millions of Americans. Moreover, it will cut both nurse faculty loan programs and nurse training programs by nearly 70 percent. These cuts will decimate our health care workforce now and long into the future.

Madam Speaker, in 2008, over 27,000 qualified applicants to our Nation's nursing schools were turned away because we didn't have enough faculty to train them. Countless others couldn't even afford to go. This budgetless resolution will do nothing more than exacerbate a real growing problem.

Members from both sides of the aisle know that we desperately need to increase our health care workforce, not cut it. Instead of cutting jobs, we should be creating them, so I urge my colleagues to vote “no” on this budgetless resolution.

Mr. DREIER. Madam Speaker, I yield myself 30 seconds to say to my very good friend from Santa Barbara that creating jobs and getting our economy back on track is exactly what this resolution is all about.

We all know that, on the sidelines all across this country and around the world, there is capital, there are resources that are waiting to be invested. And once we get our fiscal house in order, the signal that that sends to job creators out there is a very important one.

With that, I am very happy to yield 1 minute to my very good friend from Richmond, Virginia, the distinguished majority leader, Mr. CANTOR.

Mr. CANTOR. I thank the gentleman from California, the chairman of the Rules Committee.

Madam Speaker, November 2 marked the culmination of a long, arduous and ultimately clarifying debate over the kind of role government should play in the economy. By overwhelming margins, voters rejected an approach that spends money we don't have and concentrates too much control and power in Washington.

Instead, they voted for a better way.

Republicans are determined to deliver results by instilling a culture of opportunity, responsibility, and success. Our majority is dedicated to cut and grow: cut spending and job-destroying regulations, grow private sector jobs and the economy.

□ 1320

Today, we have the opportunity to take a significant step towards repairing America's deteriorating fiscal condition. This resolution directs the

Budget Committee chairman to set spending levels so we return non-defense discretionary spending to 2008 levels or below.

If you think the government didn't spend enough money in 2008, then oppose this resolution; go on record for more spending, more borrowing, and more debt. But, Madam Speaker, if you believe we are spending too much money, then I urge my colleagues to support this resolution. It represents a clean break with the past and an end to the unchecked growth of Federal spending and government, and it is worthy of our support.

Mr. MCGOVERN. Madam Speaker, I'm still waiting to hear the number and how much we're going to cut. I am waiting to see this transparency and accountability.

I yield 2 minutes to the gentleman from Washington (Mr. DICKs).

Mr. DICKs. While the Democratic Caucus in the House remains committed to fiscal responsibility, we have two major concerns at this point that should be stated as we consider this resolution at the outset of the 112th Congress.

First, we must recognize that the highest priority at this point is to get our economy moving again, supporting initiatives that help create jobs and that continue to bring us out of the recession. Our economy is still fragile, and although unemployment is heading downward, it remains too high. In this regard, I believe we must be concerned about a precipitous and substantial drop in spending if it is going to result in increasing unemployment and increasing the deficit. It is going to have exactly the opposite effect of what is intended on the Republican side. It would truly be counterproductive if we added to the ranks of the unemployed workers in America, reducing revenues coming into the Treasury and requiring additional expenditures for unemployment insurance and welfare.

And second, the resolution we are considering today specifically exempts defense—the largest element of our Federal budget—from any reductions. Even though I have always supported a strong national defense, I cannot imagine why we would hold the Pentagon harmless in the attempt to achieve greater fiscal accountability. Even the Republican majority leader this week agreed that defense spending should be on the table, and Secretary Gates himself has proposed a series of reasonable reductions that could be accomplished in his department's budget.

In the FY 2011 bill the Defense Appropriations Subcommittee, which I chaired with Mr. YOUNG of Florida, adopted last July, included a reduction of \$7 billion from the Obama budget request, and the Senate Appropriations Committee had a similar number. I think we can even do more than that. I was glad to see that Mr. BOEHNER, Mr. CANTOR, and others have all said that defense should be part of the solution. I think we can cut up to \$13 billion out

of the defense budget without doing any damage to national security.

Mr. DREIER. Madam Speaker, I yield myself 30 seconds to say to my very good friend from Seattle that I am in complete agreement with the notion of ensuring that we focus time, energy, and effort on paring back waste, fraud, and abuse, especially within the Pentagon. We all know that it's there. And I'm glad that my friend from Worcester raised that issue in his opening remarks. He somehow was arguing that we have left it as sacrosanct. We don't.

The focus today is obviously on non-security discretionary spending, and that's exactly what we are trying to do with this first try.

Mr. DICKS. Will the gentleman yield?

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

Mr. DREIER. I am happy to yield my friend 15 seconds, Madam Speaker.

Mr. DICKS. I would just say we ought to do it now; it will make it easier. This gives us a bargaining chip with the President and with the Senate. We can make some reductions in defense.

Mr. DREIER. If I could reclaim my time, Madam Speaker, I would say to my friend, he knows very well that we have gone without a budget so far. We are going to go through the standard budget process.

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

Mr. DREIER. I yield myself an additional 15 seconds to say that I would like to see complete reform of the 1974 Budget Act. I want a joint, bicameral, bipartisan committee to do just that. But then, with the structure we have today, we are going to proceed with the appropriations process so we will be able to do exactly what my friend said.

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

Mr. MCGOVERN. Madam Speaker, the bill makes defense spending sacrosanct and says nothing about going after fraud and waste in defense contracts.

I yield 1 minute to the gentleman from California (Mr. STARK).

Mr. STARK. I thank the gentleman for yielding.

I rise today to oppose the budgetless resolution. It ignores job creation, has no numbers, no specifics, and it gives no serious plan to reduce the deficit.

The Republicans say they want to decrease the deficit and that they will try to cut non-defense discretionary spending back to 2008 levels. They say this will save \$100 billion in discretionary spending.

I am giving them a chance to put their money where their mouths are. Today, I introduced H.R. 413, legislation that would reduce defense spending to 2008 levels. We can't be serious about getting our house in order if we are exempting 60 percent of discretionary spending from cuts. My legislation will save \$182 billion over the next 5 years. That's \$182 billion from a sec-

tor riddled with extra planes and engines the Pentagon doesn't even want. We spend more than any other country. The next closest is China; we spend seven times what they do. How about just cutting back to maybe only spending five or six times as much as China does.

I urge support of H.R. 413.

Mr. DREIER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I come to the floor today as someone willing to work towards reforms that will create jobs, strengthen our middle class, and pay down our debt. I am in favor of comprehensive tax reform with lower rates. I'm in favor of removing regulations that hurt competitiveness. I'm ready to make the hard cuts we need to pay down our deficit. I think we can all agree on those principles. We might have to change some of the policies, but we agree on the principles. But what we have here today contains no policies, no ideas, and very few principles.

This is a budgetless resolution. It calls for a reduction in spending to pre-2008 levels but provides no specifics. What family in America would sit down at the kitchen table and set up a budget without a bottom line?

We could be here discussing Mr. RYAN's idea to replace Medicaid with vouchers. We could be here discussing the plan to cut public education spending 50 percent and to eliminate Amtrak and public broadcasting. Let's discuss those things. Or we could be debating the plan Majority Leader CANTOR hailed, which would result in the absence of 4,000 FBI agents and 1,500 DEA agents. We may disagree with those policies, but I am here to work to solve problems. And to say we will drop spending levels up to 30 percent but provide no specifics is being less than genuine.

Colin Powell recently said this: "I am very put off when people just say let's go back and freeze to the level 2 years ago. Tell me what you're going to cut, and nobody up there yet is being very, very candid about what they are going to cut to fix the problem."

The public has been very clear; job creation should be our top priority. So far we have abandoned the principles of pay-as-you-go and added \$230 billion to the deficit by repealing—you voted for it—health care.

The SPEAKER pro tempore (Mr. LATHAM). The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 20 seconds.

Mr. PASCRELL. Thank you, Mr. MCGOVERN.

Before us is yet another piece of legislation being used as a political gimmick instead of an honest conversation to seek out compromise with the purpose of aiding the economy. As a new

member of the Budget Committee, I am willing and eager to work hard to find comprehensive, bipartisan solutions to strengthening our economy. Please let me know when you're ready to sit down and talk and work.

Mr. DREIER. Mr. Speaker, may I inquire of my friend how many speakers he has remaining?

Mr. MCGOVERN. Mr. HOYER and then myself at this moment.

Mr. DREIER. I am going to sit on the edge of my seat in anticipation of Mr. HOYER's very thoughtful remarks that I look forward to, Mr. Speaker.

Mr. MCGOVERN. Mr. Speaker, I am very proud to yield 3 minutes to the gentleman from Maryland, the minority whip, Mr. HOYER.

□ 1330

Mr. HOYER. I want to thank the gentleman for yielding.

Mr. DREIER has put additional pressure on me with his thoughtful remarks.

Let me say that there is nobody on this floor who doesn't believe that the deficit is a very, very substantial problem that confronts us; and I would hope that there is nobody on the floor who believes that it's going to be accomplished in a simple fashion to bring this deficit under control. But I fear that there is too much simplistic—not simple—simplistic rhetoric with reference to this deficit.

After borrowing trillions of dollars to finance tax cuts, a new entitlement, and two wars, our friends on the Republican side tell us they are now taking the deficit seriously. All of you have heard my comments about how under the Clinton administration the budget was balanced and how under the Reagan and Bush I and Bush II administrations it was not.

If our Republican friends mean it, if they were interested in the deficit as anything other than a political issue, if they actually use their House majority to back up their words with action, then no one, in my opinion, would be happier than me and our party, the Democratic Party.

Our deficit I think all of us should agree is too big for partisan politics. It cripples our children's opportunities. It makes it harder for them to pay for college education, buy a home, start a business, or plan a future.

I want my Republican friends to take the deficit seriously. I want my Democratic friends to take the budget deficit seriously—to join President Obama in making the hard choices it will take to get out of debt.

But, frankly, so far the opportunity to finally back up their words of fiscal discipline have been a record of disappointment.

A rules package, and I tell my friend, the chairman of the Rules Committee, the rules package provides for \$5 trillion in additional deficit spending over the next 10 years—\$5 trillion; a vote to repeal health care reform is another \$230 billion of deficit; a pledge to cut

spending by a hundred billion, which it has taken them less than a month to break; and, today, a one-page resolution with no numbers and no specifics.

I think this resolution is unprecedented, certainly in the 30 years that I've been here, which gives to one person out of the 435 the opportunity and the authority to set a number that we will consider in this House. I don't think that's precedent. I don't think it's democratic. It's not transparent. And it's not an open process.

Colin Powell has already been quoted, but we're still waiting for the answer of what is going to be cut. At a time when getting out of debt, growing the economy, and creating jobs are our country's defining bipartisan challenges, we need hard choices—not more political theater.

Now, we passed a budget enforcement resolution which was criticized by the other side because we didn't pass a full budget. I think that's, perhaps, correct.

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

Mr. MCGOVERN. I yield the gentleman an additional 1 minute.

Mr. HOYER. I thank the gentleman for yielding the additional 1 minute.

We were criticized; but in that budget enforcement resolution, we had a number, and when you voted on the rule, you knew the number you were voting on as a House of Representatives. Here you have no idea what you're voting on. You could be voting for 2008 numbers or anything less than that under this resolution.

Mr. DREIER. Will the gentleman yield? And I will yield my friend additional time.

Mr. HOYER. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding.

Let me just say to my friend, Mr. Speaker, that this is the beginning of a process. This is a one-sentence resolution that will allow this House to go on record making a strong commitment to reducing the level of spending. And my friend was absolutely right in his opening remarks when he said that everyone wants us to reduce the deficit. And he's right.

This may be unprecedented, but we're in unprecedented times.

I would yield my friend an additional 30 seconds.

Mr. HOYER. I thank the gentleman for his generosity.

But let me say to the gentleman, it may be unprecedented times; but it does not warrant this unprecedented abdication of democracy in this House in setting what is probably the most critical question that confronts government: How much are you going to pay for it? I think we all agree on that. That's what is at issue here.

And this resolution does not allow Members of Congress to engage on that. It simply gives to one person the ability to set that number. It's not only unprecedented; it, in my opinion, is undemocratic—with a small "d." It

does not provide the transparency and the openness of which the gentleman has correctly spoken and I hope we pursue.

And I hope that we oppose this resolution.

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

Mr. MCGOVERN. I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

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

I consider the gentleman from California a colleague that I've known for a good while, and I know that there are certainly good intentions; but I always believe that when you're elected to this powerful body that represents over 300 million Americans, as the census has given us new numbers of how many Americans we have the privilege of representing, you do have to speak about the future.

When you begin to talk about generic numbers going back to 2008 levels, you are speaking generally without substance because it is our commitment to be able to move America forward. And I hope the President will stay in the blue column because you can see the red column in the past administration: there was no job creation.

So when you talk about reducing the deficit, it must be with a plan; it must be with substance. Because you can repeal with no substance.

And I would just raise the question: Do we want a Nation that does not invest in education? Do we want a Nation that does not help our businesses invest to create jobs? And do we want a Nation that says that security, the FBI, the DEA—someone called in today and talked about how important it was to ensure that we had the right kind of law enforcement. Or do we want to tell those who are on Social Security who have worked, literally worked, or are disabled, that there are no more dollars for them because we have just without any guidance gone back to 2008 levels?

I would just ask that we move this country forward, Mr. Speaker, and I ask that we invest in America.

Mr. DREIER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MCGOVERN. I yield myself 1¾ minutes.

Mr. Speaker, the problem with this resolution, as has been stated over and over and over again, is that it is a press release. It contains no number. People on the other side talk about tough choices. It doesn't talk about any of the tough choices. It exempts defense spending from any cuts, so fraudulent defense contracts are somehow okay, that it's better than waste and abuse in domestic spending programs. Everything should be on the table when we're talking about getting this budget deficit under control.

The reason why the number is so important is because that number determines how much we're going to allocate to the various appropriations committees; and that in turn determines

really the severity of a lot of the cuts that are going to have to be made: cuts in medical research—research to try to find a cure to cancer; cuts in programs to help feed hungry children; cuts in programs to provide emergency fuel assistance to low-income people during the winter months; cuts in small business loans that can help small businesses get the capital they need to grow and create jobs.

We should be talking about jobs in the opening of the session. Instead, what we have talked about are the old ideological battles of the past. Last week we repealed the entire health care bill. This week, we're passing a budget resolution that has no number in it. I mean, this is a first. This is unprecedented. And I think the American people who are watching are wondering why in the world can't you tell us what the number is; why in the world can't you give us a sense of what you're going to cut.

□ 1340

Why in the world can't you even vote on it? There are 435 Members of this House. Only one Member is going to be able to determine what that budget number is.

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

Mr. MCGOVERN. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman has 1 minute remaining.

Mr. MCGOVERN. I yield myself the balance of my time.

Mr. Speaker, we are engaged in political theater today. We know the CBO will come out with numbers tomorrow, but the Republicans feel it's important to do this today because somehow they think the press will pay attention to this and they'll be able to have a countermessage to the President's State of the Union address. They are blowing a major opportunity.

There is bipartisan concern about the budget. There is a bipartisan consensus that we need to find cuts. And rather than working in a bipartisan way, we have a bill that comes to the floor under a closed rule. We are told that the chairman of the Budget Committee can unilaterally come up with a number; the rest of us are irrelevant to this process. That's not the way it's supposed to be. And I think that the Republican majority owes it not only to the Members of this Congress, but they owe it to the American people to tell us what the number is and where they're going to cut, how deeply they're going to cut, who's going to be impacted. Because I will tell you this: Who's going to be impacted are real people, and they're going to feel the real pain of some of these cuts.

With that, Mr. Speaker, I urge my colleagues to vote against this misguided resolution, this press release.

I yield back the balance of my time.

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

Mr. Speaker, we have bipartisan consensus around here. We need to get our

economy back on track, and we need to do everything that we can to cut Federal spending. The distinguished minority whip just said as much. So there is a consensus, and I think that's wonderful.

In a few hours, 9 o'clock this evening, Democrats are going to be sitting with Republicans; Republicans are going to be sitting with Democrats. It's going to be unprecedented. And I will say that Mr. HOYER referred to this simple one-sentence resolution as unprecedented. And I believe that it probably is unprecedented.

What it says—I mean, I have almost memorized the one sentence, Mr. Speaker. It says that we need to make sure that the Budget Committee and the Appropriations Committee work to get us to 2008 spending levels or less. I personally believe that we should be substantially below 2008 levels. I believe that we need to take that kind of action.

And it's true, before the President stands right over my shoulder at 9 o'clock this evening and delivers his State of the Union message, we want this institution to have a chance to go on record saying that we are committed to doing everything that we can to get the spending levels to 2008 or less.

Now, Mr. Speaker, we are in the position we are, and that itself is unprecedented, and that's why unprecedented action is necessary.

Now, I began my remarks by talking about the fact that probably one of the most enduring and powerful memories of 2010 was what took place in Athens, Greece. We saw the riots take place in the streets from public service employees in the wake of the government facing the responsibility of imposing austerity standards on the people of Greece. And what happened? We saw this huge outcry come because they were arguing that they couldn't, in fact, bring about cuts in spending.

I juxtapose that to what we saw in the last year here. We saw tens of thousands of Americans taking to the streets carrying this message: Taxed Enough Already. They came together to petition their government to bring about spending reductions. Not complaining that the government was making cuts; complaining that the government wasn't making enough cuts. And that's exactly what we're doing.

In fact, Mr. Speaker, I believe that this may be the first time in human history that we have witnessed what it was that we saw take place last year and led to the outcome in the November 2 election. We know that the greatest change in three-quarters of a century took place in this institution. Sixty-three members of the Democratic Party were defeated. We now have 87 new Republicans and nine new Democrats who have joined with us, and they have carried this message to us that we need to rein in spending.

Now, Mr. Speaker, I think it's important to note that our real goal is above

that. It is job creation and economic growth, getting our economy back on track so that people out there who are trying to get onto the first rung of the economic ladder are able to do just that. We have a painfully high unemployment rate, and people across this country are hurting.

Now, Mr. Speaker, what steps can we take to create jobs? I personally believe that we need to—and I look forward to having the President talk about this tonight—open up new markets around the world so that union and nonunion workers in the United States of America can have the opportunity to sell goods and provide services into countries like Colombia and Panama and South Korea, where these pending agreements exist.

I believe that since Japan has brought about a reduction in its top corporate rate, the rate of those job creators, we can reduce the top corporate rate—it's the highest rate of any country in the world now—from 35 to 25 percent. I understand the President may be proposing that this evening. That will go a long way towards creating jobs.

But, Mr. Speaker, what we're doing with H. Res. 38 is we are getting ourselves on a path towards fiscal responsibility, and I believe that that is one of the most important things that we can do as we seek this shared goal of job creation and economic growth. So if we can let this institution go on record in support of getting to 2008 levels or less, I am convinced that that will be a strong step towards our goal, our shared goal of creating jobs and establishing economic growth.

This is the beginning of a process, Mr. Speaker, the beginning of a process; again, a one-sentence resolution that this House will be voting on in just a few minutes. But the process, itself, is one that is broken. It's broken because, for the first time since the 1974 Budget Act was put into place, we've not had a budget. We've not had a budget. We're almost 5 months into the new fiscal year, and we are in the process of cleaning up the mess that was handed to us.

So how is it we plan to do it? Well, Speaker BOEHNER has made it very clear. And that is that we need to make sure that we have an open, free-flowing debate as we proceed with a budget. And I'm convinced that our Rules Committee will make alternatives in order when we proceed with the work that the Budget Committee will have done. And I'm convinced that we will get back to the kind of regular order that I think today Democrats and Republicans alike would want to see, and that is a chance for Democrats and Republicans to stand up and offer amendments to the appropriations bills.

So, Mr. Speaker, I will say again that it's a simple one-sentence resolution. Are we going to let this institution get onto a path towards reducing the size, scope, reach, and control of the Federal

Government or are we not? And so, Mr. Speaker, I am going to urge my colleagues to vote in favor of this very, very important resolution.

Mr. BLUMENAUER. Mr. Speaker, earlier this year, I was pleased to cast a vote that would reduce the legislative appropriation as a symbol that no part of the budget should be off limits as we attempt to deal with the issues of government efficiency and deficit reduction. The resolution before Congress today directs the Budget Committee Chairman to reduce non-security spending to FY 2008 levels or less for the remainder of FY 2011. I would hope that having demonstrated that even the legislature itself is not exempt, that the Republican leadership would reconsider its decision to declare off limits the major areas of government spending, particularly the Department of Defense.

If we are truly to improve our fiscal condition, no part of the budget should be off limits. The Pentagon cannot be left out. We can no longer separate national security from fiscal responsibility. Speaker BOEHNER has himself said that there is room to find savings in the defense budget.

Even without including the costs for the wars in Iraq and Afghanistan, U.S. defense spending is the highest it has been at any time since the end of World War II. It is greater than at the peak of the Cold War. Yet we continue to spend billions to protect West Germany from the Soviet Union even though both ceased to exist decades ago.

Our defense budget accounts for half of global military spending and consumes more than 50 cents of every dollar of federal government discretionary spending. Even under the laudable plan announced by Secretary Gates to cut the Pentagon's budget by \$78 billion, defense spending will continue to increase in the near term.

There are many thoughtful ways to rein in defense spending. More than \$350 billion has been spent by the U.S. in Afghanistan since 2001, a monthly bill for our taxpayers exceeding \$8 billion. The U.S. military is the single largest consumer of energy in the world, using as much power in one year as the entire country of Nigeria, and spending \$17 billion each year on petrol and another \$23 billion annually on refueling our bases and units in Afghanistan. Integrating renewable and energy efficient practices into our armed services have already saved lives and money. Finally, we should eliminate unnecessary weapons programs, such as the Expeditionary Fighting Vehicle. Despite the Marine Corps commandant calling the program unworkable and unaffordable, some lawmakers continue to insist on funding it.

While today's resolution fails to address this problem, it is my hope that we'll be able to work in a bipartisan fashion to "right-size" all areas of government spending, including the Pentagon.

Unfortunately, the proposal put forth by the Republican Study Committee earlier this week has lessened the chance of finding a bipartisan solution. Their proposal would result in cuts of more than 40 percent in education, environmental protection, law enforcement, medical research, food safety, and many other key services. In practical terms, this would include the elimination of nearly 3,000 food safety inspectors—endangering our food supply, dramatic increases in wait times at Social Security centers by slashing that agencies budget,

and dumping 389,000 children from Head Start—destroying opportunities for those children while weakening America's competitiveness.

The Republican Study Committee's proposal would also destroy thousands of jobs renewing and rebuilding America's eroding infrastructure. For instance, cutting \$2 billion from the New Starts program would destroy nearly 46,000 jobs and cutting Amtrak funding by \$1.6 billion would destroy 36,000. Eliminating these programs makes it harder for those Americans with work to get to work or to find new work.

There are many more examples just like these that hit every community in our country. While we strive to better match our revenues with the cost of services to our constituents, it is important not to destroy the very programs that make our country strong and economically competitive and on which our citizens depend.

Mr. JORDAN. Mr. Speaker, the American people have spoken loud and clear—they want Congress to stop the out-of-control spending that is bankrupting our Nation.

During the campaign last year, Republicans called for reducing non-security, discretionary spending in Fiscal Year 2011 by \$100 billion as a down payment toward the cuts needed to get America's finances back on track.

Now that the campaign is over, and the American people have given us one more chance to make things right, they want to see us do what we said we would do.

H. Res. 38 is a good first step—and I'm going to support it—but it does not get us the full \$100 billion.

Mr. Speaker, we need to keep the \$100 billion promise we made to the American people!

I filed an amendment last night that would keep the \$100 billion promise. We would be debating that amendment right now, had this resolution come to the floor under an open rule.

The good news is . . . and I applaud our leadership for taking this position . . . sometime over the next few weeks, we will have another chance to keep this promise as we debate the continuing resolution under an open rule.

Though some say keeping the \$100 billion promise would be too difficult, the folks I get the privilege to represent back home say "This is the least we can do!"

They understand that \$100 billion is only about one-thirteenth of the deficit. They understand that cutting \$100 billion only gets us one-thirteenth of the way to a balanced budget.

Rebuilding the trust of the people means keeping our word. We need to keep our promise.

Mr. LANGEVIN. Mr. Speaker, I rise in opposition to House Resolution 38, which imposes dramatic cuts to our budget without any regard to its effects on our Nation's economic recovery or Rhode Island families struggling to stay afloat.

Our Nation faces a serious budget deficit, but we also face a jobs deficit and a fragile economic recovery. Rhode Island currently has the fifth highest unemployment rate in the country at 11.5 percent. The Republican proposal to cut non-security programs by 21 percent goes too far too fast, resulting in additional potential job losses and reductions to critical services that could threaten our eco-

nomical recovery and countless families who are barely getting by as it is. It makes drastic cuts to our school systems and student aid for college, slashes housing assistance in the wake of record foreclosures, and reduces lending support for small businesses.

This proposal also contradicts the recommendations of the Bipartisan Fiscal Commission, of which some of our Republican leaders were participants. In its final report released on December 1, 2010—less than eight weeks ago—the commission stated in its second guiding principle that "budget cuts should start gradually so they don't interfere with the ongoing economic recovery. Growth is essential to restoring fiscal strength." The Commission then stated in its first recommendation that we should not return to pre-recession 2008 levels until 2013. This proposal contained a lot of controversial ideas to be sure, but the general consensus regardless of party affiliation highlighted the need for caution in crafting an effective deficit reduction plan.

Mr. Speaker, I wholeheartedly agree that we need to get our fiscal house in order, but we must do it thoughtfully and responsibly. This proposal rushes to judgment before the process has even begun. I urge my colleagues to reject this resolution and begin a serious discussion of deficit reduction that will address our fiscal challenges without imperiling our economic recovery.

Mr. DINGELL. Mr. Speaker, I rise in opposition to H. Res. 38, a vague and reckless "budget-less" budget resolution. H. Res. 38 claims to reduce non-security spending to fiscal year 2008 levels or less, but this one-page bill has not one final budget number, nor does it actually make any specific cuts. Instead, this resolution grants all authority to the Chair of the House Committee on the Budget to set the budget allocations for the Committee on Appropriations. This entitles the Chairman to merely have the allocations printed in the CONGRESSIONAL RECORD. So much for an open and transparent process. So much for allowing the Committees of jurisdiction to do their work. Mr. Speaker, we declared our independence from Great Britain precisely because we didn't want a king and here we are making one out of the Chairman of the House Committee on the Budget.

By allowing only one hour of debate on the resolution and no amendments, Republican leadership seeks to bypass the deliberation and debate by Members of Congress. Republican leadership also struck down a motion that would have required a vote by the full House before any allocation could become effective, once again limiting input by the Members of this body. It is clear that the Grand Old Party remains committed to deciding our Nation's budgetary policies in smoke-filled backrooms.

It is clear that the one-page resolution brought to the floor today is not a serious plan to reduce the deficit. Indeed, the new Republican plan offers the same empty rhetoric as the last: all smoke and mirrors. It is fiscally irresponsible, both procedurally and substantively, and it puts too much power in the hands of one individual—the Chairman of the Budget Committee.

Furthermore, the arbitrary decision to reduce spending to non-security—a clear definition of which we have yet to see—funding levels in fiscal year 2008 jeopardizes the progress our country has made in recovering

from the economic downturn. My colleagues on the other side of the aisle are not governing for fiscal year 2008, we are governing for the remainder of fiscal year 2011. Rather than driving our economic progress forward, the Republican leadership has chosen to throw the car into reverse, threatening to destroy the recovery this economy has made.

My colleagues on the other side of the aisle say they can't provide specifics, as they are awaiting information from the Congressional Budget Office. The same Congressional Budget Office they recently accused of cooking the books. I am glad Republicans now see the value of the non-partisan organization. It is my understanding that CBO will come out with baseline numbers within the next week. Would it not be a better course of action to wait for those numbers and show us all exactly which programs are to be cut—to lay the specifics on the table? Or is today's resolution modeled after the Republican repeal bill—meant for political showmanship only?

I am ready to work in a bipartisan way to reduce deficits, as well as promote economic growth and protect the strength of American middle-class families. During this current economic downturn, we must not jeopardize our Nation's ability to create jobs. Unfortunately, the GOP has made it clear they are not interested in taking real action for the American people. Republicans have already voted in their rules package, paving the way to add nearly \$5 trillion to the deficit, and have voted to increase the deficit by \$230 billion by repealing the health care law. I will NOT stand idly by and let the GOP advance its record of doubling the national debt and shirking away from fiscal responsibility. I urge my colleagues to do the same.

Mr. DREIER. I yield back the balance of my time.

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

Pursuant to House Resolution 43, the previous question is ordered on the resolution, as amended.

MOTION TO RECOMMIT

Mr. BISHOP of New York. Mr. Speaker, I have a motion to recommit at the desk.

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

Mr. BISHOP of New York. Indeed, I am.

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

The Clerk read as follows:

Mr. Bishop of New York moves to recommit the resolution H. Res. 38 to the Committee on Rules with instructions to report the same to the House forthwith with the following amendments:

Page 2, line 1, insert "(1)" after "that".

Page 2, line 2, insert the following before the period: ", and (2) no spending for any contract entered into by the United States Government with a company that has been determined by the Secretary of Labor to have offshored or outsourced American jobs overseas".

□ 1350

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

There was no objection.

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

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

Mr. BISHOP of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on adoption of the resolution, if ordered; and the motion to suspend the rules with regard to House Resolution 49.

The vote was taken by electronic device, and there were—yeas 184, nays 242, answered “present” 1, not voting 7, as follows:

[Roll No. 19]
YEAS—184

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

NAYS—242

Adams	Bartlett	Black
Aderholt	Barton (TX)	Blackburn
Akin	Bass (NH)	Bonner
Alexander	Benishek	Bono Mack
Amash	Berg	Boustany
Austria	Biggart	Brady (TX)
Bachmann	Bilbray	Brooks
Bachus	Bilirakis	Brown (GA)
Barletta	Bishop (UT)	Buchanan

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

ANSWERED “PRESENT”—1

Sherman

NOT VOTING—7

Emerson
Frank (MA)
Giffords
Hinchev
Payne
Rokita

□ 1413

Messrs. GOSAR, HIMES, and SCHOCK changed their vote from “yea” to “nay.”

Ms. SCHAKOWSKY, Messrs. FARR, ALTMIRE, BRALEY of Iowa, LANGEVIN, and LEWIS of Georgia changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. ROKITA. Madam Speaker, on rollcall 19, I was unavoidably detained. Had I been present I would have voted “no.”

The SPEAKER pro tempore (Mrs. CAPITO). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 256, nays 165, not voting 13, as follows:

[Roll No. 20]
YEAS—256

Adams	Flores	Lungren, Daniel
Aderholt	Forbes	E.
Akin	Fortenberry	Mack
Alexander	Fox	Manzullo
Altmire	Franks (AZ)	Marchant
Amash	Frelinghuysen	Marino
Austria	Gallely	Matheson
Bachmann	Gardner	McCarthy (CA)
Bachus	Garrett	McCauley
Barletta	Gerlach	McClintock
Barrow	Gibbs	McCotter
Bartlett	Gibson	McHenry
Barton (TX)	Gingrey (GA)	McKeon
Bass (NH)	Gohmert	McKinley
Benishek	Goodlatte	McMorris
Berg	Gosar	Rodgers
Biggart	Gowdy	Meehan
Bilbray	Granger	Mica
Bilirakis	Graves (GA)	Miller (FL)
Bishop (UT)	Graves (MO)	Miller (MI)
Black	Griffin (AR)	Miller, Gary
Blackburn	Griffith (VA)	Mulvaney
Bonner	Grimm	Murphy (PA)
Bono Mack	Guinta	Myrick
Boren	Guthrie	Neugebauer
Boustany	Hall	Noem
Brady (TX)	Hanna	Nugent
Brooks	Harper	Nunes
Brown (GA)	Harris	Nunnelee
Buchanan	Hartzler	Olson
Bucshon	Hastings (WA)	Palazzo
Buerkle	Hayworth	Paul
Burgess	Heck	Paulsen
Burton (IN)	Heller	Pearce
Calvert	Hensarling	Pence
Camp	Herger	Peterson
Campbell	Herrera Beutler	Petri
Canseco	Holden	Pitts
Cantor	Huelskamp	Platts
Carter	Huizenga (MI)	Poe (TX)
Capito	Hultgren	Pompeo
Cassidy	Hunter	Posey
Chabot	Hurt	Price (GA)
Chaffetz	Issa	Quayle
Chandler	Jenkins	Quigley
Coble	Johnson (IL)	Reed
Coffman (CO)	Johnson (OH)	Rehberg
Cole	Johnson, Sam	Reichert
Conaway	Jones	Renacci
Cooper	Jordan	Ribble
Costa	Kelly	Rigell
Costello	King (IA)	Rivera
Cravaack	King (NY)	Roby
Crawford	Kingston	Roe (TN)
Crenshaw	Kinzinger (IL)	Rogers (AL)
Culberson	Kissell	Rogers (KY)
Davis (KY)	Kline	Rogers (MI)
Denham	Labrador	Rohrabacher
Dent	Lamborn	Rokita
DesJarlais	Lance	Rooney
Diaz-Balart	Landry	Roskam
Dold	Lankford	Ross (AR)
Donnelly (IN)	Latham	Ross (FL)
Dreier	LaTourette	Royce
Duffy	Latta	Runyan
Duncan (SC)	Lee (NY)	Ryan (WI)
Duncan (TN)	Lewis (CA)	Scalise
Ellmers	Lipinski	Schilling
Farenthold	LoBiondo	Schmidt
Fincher	Long	Schock
Fitzpatrick	Lucas	Schrader
Flake	Luetkemeyer	Schweikert
Fleischmann	Lummis	Scott (SC)
Fleming		Scott, Austin

Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman

Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West

Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—165

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fudge
Garamendi

Gonzalez
Green, Al
Grijalva
Gutierrez
Hanabusa
Harman
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Holt
Hoyer
Inslie
Israel
Jackson (IL)
Jackson Lee
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loeb sack
Lofgren, Zoe
Lowe y
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Oliver
Owens

Pallone
Pascarell
Pastor (AZ)
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—13

Bralley (IA)
Emerson
Frank (MA)
Giffords
Green, Gene

Hinche y
Honda
Kaptur
Neal
Payne

Ros-Lehtinen
Schakowsky
Waters

□ 1422

Mr. LARSON of Connecticut changed his vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

The title was amended so as to read: “A resolution reducing non-security spending to fiscal year 2008 levels or less.”

A motion to reconsider was laid on the table.

Stated against:

Mr. GENE GREEN of Texas. Madam Speaker, on rollcall vote No. 20, had I been present, I would have voted “nay.”

Mr. BRALEY of Iowa. Madam Speaker, I regret missing a floor vote on Tuesday, January 25, 2011. Had I registered my vote, I would have voted “nay” on rollcall vote No. 20, on agreeing to the resolution, H. Res. 38—To reduce spending through a transition to non-security spending at fiscal year 2008 levels.

STAFF SERGEANT SALVATORE A. GIUNTA MEDAL OF HONOR FLAG RESOLUTION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 49) providing Capitol-flown flags for recipients of the Medal of Honor, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LATHAM) that the House suspend the rules and agree to the resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 10, as follows:

[Roll No. 21]

YEAS—424

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards

Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Clever
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
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards

Ellison
Ellmers
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Cohen
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
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Heller

Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslie
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
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)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowe y
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 (CT)
Murphy (PA)
Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paul
Paulsen
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
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush

Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradler
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)
Southernland
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Wasserman
Schultz
Watt
Waxman
Watt
Waxman
Webster
Weiner
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Black
Cicilline
Emerson
Frank (MA)

Giffords
Harman
Hinche y
Keating

Payne
Ros-Lehtinen

□ 1430

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 359, ELIMINATING TAXPAYER FINANCING OF PRESIDENTIAL ELECTIONS

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-5) on the resolution (H. Res. 54) providing for consideration of the bill (H.R. 359) to reduce Federal spending and the deficit by terminating taxpayer financing of Presidential election campaigns and party conventions, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, House Democratic Leader:

JANUARY 25, 2011.

Hon. JOHN BOEHNER,
Speaker of the House, U.S. Capitol, Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to Section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1103), I hereby appoint the Honorable Terri A. Sewell of Alabama to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development for a term of six years.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. After consultation among the Speaker and the majority and minority leaders, and with their consent, the Chair announces that, when the two Houses meet tonight in joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those immediately to his left and right will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House. Due to the large attendance that is anticipated, the rule regarding the privilege of the floor must be strictly enforced. Children of Members will not be permitted on the floor. The cooperation of all Members is requested.

The practice of reserving seats prior to the joint session by placard will not be allowed. Members may reserve their seats only by physical presence following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess until approximately 8:35 p.m. for the purpose of receiving in joint session the President of the United States.

Accordingly (at 2 o'clock and 33 minutes p.m.), the House stood in recess until approximately 8:35 p.m.

□ 2039

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 8 o'clock and 39 minutes p.m.

JOINT SESSION OF CONGRESS PURSUANT TO HOUSE CONCURRENT RESOLUTION 10 TO RECEIVE A MESSAGE FROM THE PRESIDENT

The Speaker of the House presided.

The Deputy Sergeant at Arms, Mrs. Kerri Hanley, announced the Vice President and Members of the U.S. Senate, who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber:

The gentleman from Virginia (Mr. CANTOR);

The gentleman from California (Mr. MCCARTHY);

The gentleman from Texas (Mr. HENSARLING);

The gentleman from Texas (Mr. SESSIONS);

The gentleman from Georgia (Mr. PRICE);

The gentlewoman from Washington (Mrs. McMORRIS RODGERS);

The gentleman from Texas (Mr. CARTER);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Connecticut (Mr. LARSON);

The gentleman from California (Mr. BECERRA);

The gentleman from New York (Mr. ISRAEL); and

The gentlewoman from Alabama (Ms. SEWELL).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort the President of the United States into the House Chamber:

The Senator from Nevada (Mr. REID);

The Senator from Illinois (Mr. DURBIN);

The Senator from New York (Mr. SCHUMER);

The Senator from Washington (Mrs. MURRAY);

The Senator from Michigan (Ms. STABENOW);

The Senator from Alaska (Mr. BEGICH);

The Senator from Vermont (Mr. LEAHY);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Arizona (Mr. KYL);

The Senator from Tennessee (Mr. AL-EXANDER);

The Senator from Wyoming (Mr. BARRASSO);

The Senator from South Dakota (Mr. THUNE); and

The Senator from Texas (Mr. CORNYN).

The Deputy Sergeant at Arms announced the Dean of the Diplomatic Corps, His Excellency Roble Olhaye, Ambassador from the Republic of Djibouti.

The Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

The Deputy Sergeant at Arms announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Deputy Sergeant at Arms announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 5 minutes p.m., the Sergeant at Arms, the Honorable Wilson Livingood, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

(Applause, the Members rising.)

The SPEAKER. Members of the Congress, I have the high privilege and the distinct honor of presenting to you the President of the United States.

(Applause, the Members rising.)

The PRESIDENT. Mr. Speaker, Mr. Vice President, Members of Congress, distinguished guests, and fellow Americans:

Tonight, I want to begin by congratulating the men and women of the 112th Congress as well as your new Speaker, JOHN BOEHNER. And as we mark this occasion, we are also mindful of the empty chair in this Chamber, and we pray for the health of our colleague and our friend, GABBY GIFFORDS.

It's no secret that those of us here tonight have had our differences over the last 2 years. The debates have been contentious; we have fought fiercely for our beliefs—and that's a good thing. That's what a robust democracy demands. That's what helps set us apart

as a nation. But there's a reason the tragedy in Tucson gave us pause:

Amid all the noise and passions and rancor of our public debate, Tucson reminded us that, no matter who we are or where we come from, each of us is a part of something greater, something more consequential than parties or political preference. We are part of the American family. We believe that, in a country where every race and faith and point of view can be found, we are still bound together as one people, that we share common hopes and a common creed, that the dreams of a little girl in Tucson are not so different than those of our own children, and that they all deserve the chance to be fulfilled.

That, too, is what sets us apart as a nation.

Now, by itself, this simple recognition won't usher in a new era of cooperation. What comes of this moment is up to us. What comes of this moment will be determined, not by whether we can sit together tonight, but whether we can work together tomorrow.

I believe we can and I believe we must.

That's what the people who sent us here expect of us. With their votes, they have determined that governing will now be a shared responsibility between parties. New laws will only pass with support from Democrats and Republicans. We will move forward together or not at all—for the challenges we face are bigger than party and bigger than politics.

At stake right now is not who wins the next election—after all, we just had an election. At stake is whether new jobs and industries take root in this country or somewhere else. It's whether the hard work and industry of our people is rewarded. It's whether we sustain the leadership that has made America, not just a place on a map, but a light to the world.

We are poised for progress. Two years after the worst recession most of us have ever known, the stock market has come roaring back. Corporate profits are up. The economy is growing again—but we have never measured progress by these yardsticks alone. We measure progress by the success of our people, by the jobs they can find, and the quality of life those jobs offer, by the prospects of a small business owner who dreams of turning a good idea into a thriving enterprise, by the opportunities for a better life that we pass on to our children.

That's the project the American people want us to work on. Together.

We did that in December. Thanks to the tax cuts we passed, Americans' paychecks are a little bigger today. Every business can write off the full cost of the new investments they make this year; and these steps, taken by Democrats and Republicans, will grow the economy and add to the more than 1 million private sector jobs created last year, but we have to do more. These steps we have taken over the last 2 years may have broken the back

of this recession; but to win the future, we'll need to take on challenges that have been decades in the making.

Many people watching tonight can probably remember a time when finding a good job meant showing up at a nearby factory or a business downtown. You didn't always need a degree, and your competition was pretty much limited to your neighbors. If you worked hard, chances are you'd have a job for life, with a decent paycheck, good benefits, and the occasional promotion. Maybe you'd even have the pride of seeing your kids work at the same company.

That world has changed, and for many, the change has been painful.

I've seen it in the shuttered windows of once booming factories and the vacant storefronts of once busy Main Streets. I've heard it in the frustrations of Americans who have seen their paychecks dwindle or their jobs disappear—proud men and women who feel like the rules have been changed in the middle of the game.

They're right. The rules have changed.

In a single generation, revolutions in technology have transformed the way we live, work, and do business. Steel mills that once needed 1,000 workers can now do the same work with 100. Today, just about any company can set up shop, hire workers, and sell their products wherever there's an Internet connection. Meanwhile, nations like China and India realized that, with some changes of their own, they could compete in this new world, and so they started educating their children earlier and longer, with greater emphasis on math and science. They're investing in research and new technologies. Just recently, China became the home to the world's largest private solar research facility and the world's fastest computer.

So, yes, the world has changed. The competition for jobs is real, but this shouldn't discourage us. It should challenge us.

Remember, for all the hits we've taken these last few years, for all the naysayers predicting our decline, America still has the largest, most prosperous economy in the world. No workers are more productive than ours. No country has more successful companies or grants more patents to inventors and entrepreneurs. We are home to the world's best colleges and universities, where more students come to study than anyplace on Earth.

What's more, we are the first nation to be founded for the sake of an idea—the idea that each of us deserves the chance to shape our own destiny. That's why centuries of pioneers and immigrants have risked everything to come here. It's why our students just don't memorize equations but answer questions like “What do you think of that idea? What would you change about the world? What do you want to be when you grow up?”

The future is ours to win, but to get there, we can't just stand still. As Rob-

ert Kennedy told us, “The future is not a gift. It is an achievement.” Sustaining the American dream has never been about standing pat. It has required each generation to sacrifice and struggle and meet the demands of a new age.

Now it's our turn.

We know what it takes to compete for the jobs and industries of our time. We need to out-innovate, out-educate, and out-build the rest of the world. We have to make America the best place on Earth to do business. We need to take responsibility for our deficit and reform our government. That's how our people will prosper. That's how we'll win the future—and tonight, I'd like to talk about how we get there.

The first step in winning the future is encouraging American innovation. None of us can predict with certainty what the next big industry will be or where the new jobs will come from. Thirty years ago, we couldn't know that something called the Internet would lead to an economic revolution.

What we can do—what America does better than anyone else—is spark the creativity and imagination of our people. We are the nation that put cars in driveways and computers in offices, the nation of Edison and the Wright brothers, of Google and Facebook. In America, innovation doesn't just change our lives. It is how we make our living.

Our free enterprise system is what drives innovation; but because it's not always profitable for companies to invest in basic research, throughout our history, our government has provided cutting-edge scientists and inventors with the support that they need. That's what planted the seeds for the Internet. That's what helped make possible things like computer chips and GPS. Just think of all the good jobs, from manufacturing to retail, that have come from these breakthroughs.

Half a century ago, when the Soviets beat us into space with the launch of a satellite called Sputnik, we had no idea how we would beat them to the Moon. The science wasn't even there yet. NASA didn't exist. But after investing in better reach and education, we didn't just surpass the Soviets; we unleashed a wave of innovation that created new industries and millions of new jobs.

This is our generation's Sputnik moment.

Two years ago, I said that we needed to reach a level of research and development that we haven't seen since the height of the Space Race; and in a few weeks, I will be sending a budget to Congress that helps us meet that goal. We'll invest in biomedical research, information technology, and especially clean energy technology—an investment that will strengthen our security, protect our planet, and create countless new jobs for our people.

Already, we are seeing the promise of renewable energy. Robert and Gary Allen are brothers who run a small Michigan roofing company. After September 11th, they volunteered their

best roofers to help repair the Pentagon, but half of their factory went unused, and the recession hit them hard. Today, with the help of a government loan, that empty space is being used to manufacture solar shingles that are being sold all across the country. In Robert's words, "We reinvented ourselves."

That's what Americans have done for over 200 years: reinvented ourselves. And to spur on more success stories like the Allen Brothers, we've begun to reinvent our energy policy. We're not just handing out money. We're issuing a challenge. We're telling America's scientists and engineers that, if they assemble teams of the best minds in their fields and focus on the hardest problems in clean energy, we'll fund the Apollo Projects of our time.

At the California Institute of Technology, they're developing a way to turn sunlight and water into fuel for our cars. At Oak Ridge National Laboratory, they're using supercomputers to get a lot more power out of our nuclear facilities. With more research and incentives, we can break our dependence on oil with biofuels and become the first country to have 1 million electric vehicles on the road by 2015.

We need to get behind this innovation; and to help pay for it, I'm asking Congress to eliminate the billions in taxpayer dollars we currently give to oil companies. I don't know if you've noticed, but they're doing just fine on their own. So, instead of subsidizing yesterday's energy, let's invest in tomorrow's.

Now, clean energy breakthroughs will only translate into clean energy jobs if businesses know there will be a market for what they're selling. So, tonight, I challenge you to join me in setting a new goal: By 2035, 80 percent of America's electricity will come from clean energy sources. Some folks want wind and solar. Others want nuclear, clean coal, and natural gas. To meet this goal, we will need them all, and I urge Democrats and Republicans to work together to make it happen.

Maintaining our leadership in research and technology is crucial to America's success; but if we want to win the future, if we want innovation to produce jobs in America and not overseas, then we also have to win the race to educate our kids.

Think about it. Over the next 10 years, nearly half of all new jobs will require education that goes beyond a high school education; and yet, as many as a quarter of our students aren't even finishing high school. The quality of our math and science education lags behind many other nations. America has fallen to ninth in the proportion of young people with a college degree. And so the question is whether all of us—as citizens and as parents—are willing to do what's necessary to give every child a chance to succeed.

That responsibility begins not in our classrooms but in our homes and communities. It's family that first instills

the love of learning in a child. Only parents can make sure the TV is turned off and homework gets done. We need to teach our kids that it's not just the winner of the Super Bowl who deserves to be celebrated but the winner of the science fair. We need to teach them that success is not a function of fame or PR but of hard work and discipline.

Our schools share this responsibility. When a child walks into a classroom, it should be a place of high expectations and high performance, but too many schools don't meet this test. That's why, instead of just pouring money into a system that's not working, we launched a competition called Race to the Top. To all 50 States, we said, "If you show us the most innovative plans to improve teacher quality and student achievement, we'll show you the money."

Race to the Top is the most meaningful reform of our public schools in a generation. For less than 1 percent of what we spend on education each year, it has led over 40 States to raise their standards for teaching and learning. These standards were developed, by the way, not by Washington, but by Republican and Democratic Governors throughout the country. Race to the Top should be the approach we follow this year as we replace No Child Left Behind with a law that is more flexible and focused on what's best for our kids.

You see, we know what's possible for our children when reform isn't just a top-down mandate but the work of local teachers and principals, school boards and communities.

Take a school like Bruce Randolph in Denver. Three years ago, it was rated one of the worst schools in Colorado, located on turf between two rival gangs; but last May, 97 percent of the seniors received their diplomas. Most will be the first in their families to go to college. And after the first year of the school's transformation, the principal who made it possible wiped away tears when a student said, "Thank you, Mrs. Waters, for showing . . . that we are smart and we can make it."

That's what good schools can do, and we want good schools all across the country.

Let's also remember that, after parents, the biggest impact on a child's success comes from the man or woman at the front of the classroom. In South Korea, teachers are known as "nation builders." Here in America, it's time we treated the people who educate our children with the same level of respect. We want to reward good teachers and stop making excuses for bad ones; and over the next 10 years, with so many Baby Boomers retiring from our classrooms, we want to prepare 100,000 new teachers in the fields of science, technology, engineering, and math.

In fact, every young person listening tonight who is contemplating their career choice: If you want to make a difference in the life of our Nation, if you want to make a difference in the life of

a child, become a teacher. Your country needs you.

Of course, the education race doesn't end with a high school diploma. To compete, higher education must be within the reach of every American. That's why we've ended the unwarranted taxpayer subsidies that went to banks, and used the savings to make college affordable for millions of students—and this year, I ask Congress to go further and make permanent our tuition tax credit, worth \$10,000 for 4 years of college. It's the right thing to do.

Because people need to be able to train for new jobs and careers in today's fast-changing economy, we are also revitalizing America's community colleges. Last month, I saw the promise of these schools at Forsyth Tech in North Carolina. Many of the students there used to work in the surrounding factories that have since left town.

One mother of two, a woman named Kathy Proctor, had worked in the furniture industry since she was 18 years old, and she told me she's earning her degree in biotechnology now, at 55 years old, not just because the furniture jobs are gone, but because she wants to inspire her children to pursue their dreams, too. As Kathy said, "I hope it tells them to never give up."

If we take these steps, if we raise expectations for every child and give them the best possible chance at an education from the day they are born until the last job they take, we will reach the goal that I set 2 years ago: By the end of the decade, America will once again have the highest proportion of college graduates in the world.

One last point about education.

Today, there are hundreds of thousands of students excelling in our schools who are not American citizens. Some are the children of undocumented workers, who had nothing to do with the actions of their parents. They grew up as Americans and pledge allegiance to our flag. Yet they live every day with the threat of deportation. Others come here from abroad to study in our colleges and universities, but as soon as they obtain advanced degrees, we send them back home to compete against us. It makes no sense.

Now, I strongly believe that we should take on, once and for all, the issue of illegal immigration, and I am prepared to work with Republicans and Democrats to protect our borders, enforce our laws, and address the millions of undocumented workers who are now living in the shadows. I know that debate will be difficult. I know it will take time; but tonight, let's agree to make that effort, and let's stop expelling talented, responsible young people, who could be staffing our research labs or starting a new business, who can be further enriching this Nation.

The third step in winning the future is rebuilding America. To attract new businesses to our shores, we need the fastest, most reliable ways to move people, goods, and information—from high-speed rail to high-speed Internet.

Our infrastructure used to be the best, but our lead has slipped. South Korean homes now have greater Internet access than we do. Countries in Europe and Russia invest more in their roads and railways than we do. China is building faster trains and newer airports. Meanwhile, when our own engineers graded our Nation's infrastructure, they gave us a "D."

We have to do better.

America is the nation that built the transcontinental railroad, brought electricity to rural communities, constructed the Interstate Highway System. The jobs created by these projects didn't just come from laying down tracks or pavement. They came from businesses that opened near a town's new train station or the new off-ramp.

So, over the last 2 years, we have begun rebuilding for the 21st century a project that has meant thousands of good jobs for the hard-hit construction industry, and tonight, I am proposing that we redouble those efforts. We will put more Americans to work repairing crumbling roads and bridges. We will make sure this is fully paid for, attract private investment, and pick projects based on what's best for the economy, not politicians.

Within 25 years, our goal is to give 80 percent of Americans access to high-speed rail. This could allow you to go places in half the time it takes to travel by car. For some trips, it will be faster than flying—without the pat-down. As we speak, routes in California and the Midwest are already underway.

Within the next 5 years, we will make it possible for businesses to deploy the next generation of high-speed wireless coverage to 98 percent of all Americans. This isn't just about faster Internet or fewer dropped calls. It's about connecting every part of America to the digital age. It's about a rural community in Iowa or Alabama where farmers and small business owners will be able to sell their products all over the world. It's about a firefighter who can download the design of a burning building onto a handheld device, a student who can take classes with a digital textbook, or a patient who can have face-to-face video chats with her doctor.

All these investments—in innovation, education, and infrastructure—will make America a better place to do business and create jobs; but to help our companies compete, we also have to knock down barriers that stand in the way of their success.

For example, over the years, a parade of lobbyists has rigged the Tax Code to benefit particular companies and industries. Those with accountants or lawyers to work the system can end up paying no taxes at all, but all the rest are hit with one of the highest corporate tax rates in the world. It makes no sense, and it has to change.

So, tonight, I'm asking Democrats and Republicans to simplify the system. Get rid of the loopholes. Level the playing field, and use the savings to

lower the corporate tax rate for the first time in 25 years—without adding to our deficit. It can be done.

To help businesses sell more products abroad, we set a goal of doubling our exports by 2014, because the more we export, the more jobs we create here at home. Already, our exports are up. Recently, we signed agreements with India and China that will support more than 250,000 jobs here in the United States; and last month, we finalized a trade agreement with South Korea that will support at least 70,000 American jobs. This agreement has unprecedented support from business and labor, Democrats and Republicans—and I ask this Congress to pass it as soon as possible.

Now, before I took office, I made it clear that we would enforce our trade agreements and that I would only sign deals that keep faith with American workers and promote American jobs. That's what we did with Korea, and that's what I intend to do as we pursue agreements with Panama and Colombia and continue our Asia Pacific and global trade talks.

To reduce barriers to growth and investment, I've ordered a review of government regulations. When we find rules that put an unnecessary burden on businesses, we will fix them, but I will not hesitate to create or enforce commonsense safeguards to protect the American people. That's what we've done in this country for more than a century. It's why our food is safe to eat, our water is safe to drink, and our air is safe to breathe. It's why we have speed limits and child labor laws. It's why, last year, we put in place consumer protections against hidden fees and penalties by credit card companies and new rules to prevent another financial crisis, and it's why we passed reform that finally prevents the health insurance industry from exploiting patients.

Now, I have heard rumors that a few of you still have concerns about our new health care law, so let me be the first to say that anything can be improved. If you have ideas about how to improve this law by making care better or more affordable, I am eager to work with you. We can start right now by correcting a flaw in the legislation that has placed an unnecessary book-keeping burden on small businesses.

What I'm not willing to do is to go back to the days when insurance companies could deny someone coverage because of a preexisting condition. I'm not willing to tell James Howard, a brain cancer patient from Texas, that his treatment might not be covered. I'm not willing to tell Jim Houser, a small business man from Oregon, that he has to go back to paying \$5,000 more to cover his employees. As we speak, this law is making prescription drugs cheaper for seniors, and is giving uninsured students a chance to stay on their parents' coverage.

So I say to this Chamber tonight, instead of re-fighting the battles of the

last 2 years, let's fix what needs fixing, and let's move forward.

Now, the final, critical step in winning the future is to make sure we aren't buried under a mountain of debt. We are living with a legacy of deficit spending that began almost a decade ago; and in the wake of the financial crisis, some of that was necessary to keep credit flowing, save jobs, and put money in people's pockets.

But now that the worst of the recession is over, we have to confront the fact that our Government spends more than it takes in. That is not sustainable. Every day, families sacrifice to live within their means. They deserve a government that does the same.

So, tonight, I am proposing that starting this year we freeze annual domestic spending for the next 5 years. Now, this would reduce the deficit by more than \$400 billion over the next decade, and will bring discretionary spending to the lowest share of our economy since Dwight Eisenhower was President.

This freeze will require painful cuts. Already, we have frozen the salaries of hardworking Federal employees for the next 2 years. I've proposed cuts to things I care deeply about, like community action programs. The Secretary of Defense has also agreed to cut tens of billions of dollars in spending that he and his generals believe our military can do without.

I recognize that some in this Chamber have already proposed deeper cuts, and I'm willing to eliminate whatever we can honestly afford to do without, but let's make sure that we're not doing it on the backs of our most vulnerable citizens, and let's make sure that what we're cutting is really excess weight. Cutting the deficit by gutting our investments in innovation and education is like lightening an overloaded airplane by removing its engine. It may make you feel like you're flying high at first, but it won't take long before you feel the impact.

Now, most of the cuts and savings I've proposed only address annual domestic spending, which represents a little more than 12 percent of our budget. To make further progress, we have to stop pretending that cutting this kind of spending alone will be enough. It won't.

The bipartisan Fiscal Commission I created last year made this crystal clear. I don't agree with all their proposals, but they made important progress; and their conclusion is that the only way to tackle our deficit is to cut excessive spending wherever we find it—in domestic spending, defense spending, health care spending, and spending through tax breaks and loopholes.

This means further reducing health care costs, including programs like Medicare and Medicaid, which are the single biggest contributor to our long-term deficit. The health insurance law we passed last year will slow these rising costs, which is part of the reason

that nonpartisan economists have said that repealing the health care law would add a quarter of a trillion dollars to our deficit. Still, I'm willing to look at other ideas to bring down costs, including one that Republicans suggested last year: medical malpractice reform to rein in frivolous lawsuits.

To put us on solid ground, we should also find a bipartisan solution to strengthen Social Security for future generations, and we must do it without putting at risk current retirees—the most vulnerable—or people with disabilities, without slashing benefits for future generations and without subjecting Americans' guaranteed retirement income to the whims of the stock market.

And if we truly care about our deficit, we simply can't afford a permanent extension of the tax cuts for the wealthiest 2 percent of Americans. Before we take money away from our schools or scholarships away from our students, we should ask millionaires to give up their tax break. It's not a matter of punishing their success. It's about promoting America's success.

In fact, the best thing we could do on taxes for all Americans is to simplify the individual Tax Code. This will be a tough job, but Members of both parties have expressed an interest in doing this, and I am prepared to join them.

So now is the time to act. Now is the time for both sides and both Houses of Congress—Democrats and Republicans—to forge a principled compromise that gets the job done. If we make the hard choices now to rein in our deficits, we can make the investments we need to win the future.

Let me take this one step further.

We shouldn't just give our people a government that's more affordable. We should give them a government that's more competent and more efficient. We can't win the future with a government of the past. We live and do business in the information age, but the last major reorganization of the government happened in the age of black and white TV. There are 12 different agencies that deal with exports. There are at least five different agencies that deal with housing policy.

Then there's my favorite example: The Interior Department is in charge of salmon while they're in freshwater, but the Commerce Department handles them when they're in saltwater. I hear it gets even more complicated once they're smoked.

Now, we've made great strides over the last 2 years in using technology and getting rid of waste. Veterans can now download their electronic medical records with a click of the mouse. We're selling acres of Federal office space that hasn't been used in years, and we'll cut through redtape to get rid of more, but we need to think bigger.

In the coming months, my administration will develop a proposal to merge, consolidate, and reorganize the Federal Government in a way that best serves the goal of a more competitive

America. I will submit that proposal to Congress for a vote—and we will push to get it passed.

In the coming year, we will also work to rebuild people's faith in the institution of government. Because you deserve to know exactly how and where your tax dollars are being spent, you'll be able to go to a Web site and get that information for the very first time in history. Because you deserve to know when your elected officials are meeting with lobbyists, I ask Congress to do what the White House has already done: put that information online. And because the American people deserve to know that special interests aren't larding up legislation with pet projects, both parties in Congress should know this: If a bill comes to my desk with earmarks inside, I will veto it. I will veto it.

A 21st century government that's open and competent. A government that lives within its means. An economy that's driven by new skills and new ideas. Our success in this new and changing world will require reform, responsibility, and innovation. It will also require us to approach that world with a new level of engagement in our foreign affairs.

Just as jobs and businesses can now race across borders, so can new threats and new challenges. No single wall separates East and West. No one rival superpower is aligned against us, and so we must defeat determined enemies wherever they are and build coalitions that cut across lines of region and race and religion, and America's moral example must always shine for all who yearn for freedom and justice and dignity; and because we've begun this work, tonight we can say that American leadership has been renewed, and America's standing has been restored.

Look to Iraq, where nearly 100,000 of our brave men and women have left with their heads held high; American combat patrols have ended; violence is down; and a new government has been formed. This year, our civilians will forge a lasting partnership with the Iraqi people while we finish the job of bringing our troops out of Iraq. America's commitment has been kept. The Iraq war is coming to an end.

Of course, as we speak, al Qaeda and their affiliates continue to plan attacks against us. Thanks to our intelligence and law enforcement professionals, we are disrupting plots and securing our cities and skies; and as extremists try to inspire acts of violence within our borders, we are responding with the strength of our communities, with respect for the rule of law, and with the conviction that American Muslims are a part of our American family.

We have also taken the fight to al Qaeda and their allies abroad. In Afghanistan, our troops have taken Taliban strongholds and trained Afghan Security Forces. Our purpose is clear: by preventing the Taliban from reestablishing a stranglehold over the

Afghan people, we will deny al Qaeda the safe-haven that served as a launching pad for 9/11.

Thanks to our heroic troops and civilians, fewer Afghans are under the control of the insurgency.

There will be tough fighting ahead, and the Afghan Government will need to deliver better governance, but we are strengthening the capacity of the Afghan people and building an enduring partnership with them. This year, we will work with nearly 50 countries to begin a transition to an Afghan lead, and this July, we will begin to bring our troops home.

In Pakistan, al Qaeda's leadership is under more pressure than at any point since 2001. Their leaders and operatives are being removed from the battlefield. Their safe-havens are shrinking, and we sent a message from the Afghan border to the Arabian Peninsula to all parts of the globe: We will not relent, we will not waver, and we will defeat you.

American leadership can also be seen in the effort to secure the worst weapons of war. Because Republicans and Democrats approved the New START treaty, far fewer nuclear weapons and launchers will be deployed. Because we rallied the world, nuclear materials are being locked down on every continent so they never fall into the hands of terrorists.

Because of a diplomatic effort to insist that Iran meet its obligations, the Iranian Government now faces tougher sanctions, tighter sanctions, than ever before; and on the Korean Peninsula, we stand with our ally South Korea and insist that North Korea keeps its commitment to abandon nuclear weapons.

This is just a part of how we are shaping a world that favors peace and prosperity.

With our European allies, we revitalized NATO and increased our cooperation on everything from counterterrorism to missile defense. We have reset our relationship with Russia, strengthened Asian alliances, and built new partnerships with nations like India. This March, I will travel to Brazil, Chile, and El Salvador to forge new alliances across the Americas.

Around the globe, we are standing with those who take responsibility, helping farmers grow more food, supporting doctors who care for the sick, and combating the corruption that can rot a society and rob people of opportunity.

Recent events have shown us that what sets us apart must not just be our power—it must also be the purpose behind it.

In South Sudan, with our assistance, the people were finally able to vote for independence after years of war. Thousands lined up before dawn. People danced in the streets. One man who lost four of his brothers at war summed up the scene around him. "This was a battlefield for most of my life," he said. "Now we want to be free."

We saw that same desire to be free in Tunisia, where the will of the people proved more powerful than the writ of a dictator. And tonight, let us be clear: The United States of America stands with the people of Tunisia, and supports the democratic aspirations of all people.

We must never forget that the things we've struggled for and fought for live in the hearts of people everywhere, and we must always remember that the Americans who have borne the greatest burden in this struggle are the men and women who serve our country.

Tonight, let us speak with one voice in reaffirming that our Nation is united in support of our troops and their families. Let us serve them as well as they have served us—by giving them the equipment they need, by providing them with the care and benefits that they have earned, and by enlisting our veterans in the great task of building our own Nation.

Our troops come from every corner of this country. They're black, white, Latino, Asian, Native American. They are Christian and Hindu, Jewish and Muslim—and yes, we know that some of them are gay. Starting this year, no American will be forbidden from serving the country they love because of who they love. And with that change, I call on all of our college campuses to open their doors to our military recruiters and the ROTC. It is time to leave behind the divisive battles of the past. It is time to move forward as one Nation.

We should have no illusions about the work ahead of us. Reforming our schools, changing the way we use energy, reducing our deficit—none of this will be easy. All of it will take time, and it will be harder because we will argue about everything—the cost, the details, the letter of every law.

Of course, some countries don't have this problem. If the central government wants a railroad, they build a railroad no matter how many homes get bulldozed. If they don't want a bad story in the newspaper, it doesn't get written.

And yet, as contentious and frustrating and messy as our democracy can sometimes be, I know there isn't a person here who would trade places with any other nation on Earth.

We may have differences in policy, but we all believe in the rights enshrined in our Constitution. We may have different opinions, but we believe in the same promise that says this is a place where you can make it if you try. We may have different backgrounds, but we believe in the same dream that says this is a country where anything is possible—no matter who you are, no matter where you come from.

That dream is why I can stand here before you tonight. That dream is why a working class kid from Scranton can sit behind me. That dream is why someone who began by sweeping the floors of his father's Cincinnati bar can preside as Speaker of the House in the greatest nation on Earth.

That dream—that American dream—is what drove the Allen Brothers to reinvent their roofing company for a new era. It's what drove those students at Forsyth Tech to learn a new skill and work towards the future, and that dream is the story of a small business owner named Brandon Fisher.

Brandon started a company in Berlin, Pennsylvania, that specializes in a new kind of drilling technology; and one day last summer, he saw the news that halfway across the world, 33 men were trapped in a Chilean mine, and no one knew how to save them; but Brandon thought his company could help, and so he designed a rescue that would come to be known as Plan B. His employees worked around the clock to manufacture the necessary drilling equipment, and Brandon left for Chile.

Along with others, he began drilling a 2,000-foot hole into the ground; working 3 or 4 days at a time without any sleep. Thirty-seven days later, Plan B succeeded, and the miners were rescued. But because he didn't want all the attention, Brandon wasn't there when the miners emerged. He had already gone back home, back to work on his next project. Later, one of his employees said of the rescue, "We proved that Center Rock is a little company, but we do big things."

We do big things. From the earliest days of our founding, America has been the story of ordinary people who dare to dream. That's how we win the future.

We are a nation that says, "I might not have a lot of money, but I have this great idea for a new company. I might not come from a family of college graduates, but I will be the first to get my degree. I might not know those people in trouble, but I think I can help them, and I need to try. I'm not sure how we'll reach that better place beyond the horizon, but I know we'll get there. I know we will."

We do big things. The idea of America endures. Our destiny remains our choice. And tonight, more than two centuries later, it is because of our people that our future is hopeful, our journey goes forward, and the state of our Union is strong.

Thank you, God bless you, and may God bless the United States of America.

(Applause, the Members rising.) At 10 o'clock and 16 minutes p.m., the President of the United States, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Deputy Sergeant at Arms escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet; the Chief Justice of the United States and the Associate Justices of the Supreme Court; the Dean of the Diplomatic Corps.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 o'clock and 20 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mr. CANTOR. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DUNCAN of South Carolina (at the request of Mr. CANTOR) for January 24 on account of airline mechanical failure.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 10 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 26, 2010, at 10 a.m.

OFFICE OF COMPLIANCE NOTICE OF ADOPTION OF SUBSTANTIVE REGULATIONS AND SUBMISSION FOR CONGRESSIONAL APPROVAL

OFFICE OF COMPLIANCE,
Washington, DC, January 24, 2011.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: On March 21, 2008, the Board of Directors of the Office of Compliance adopted and submitted for publication in the Congressional Record final regulations implementing section 4(c)(3) of the Veterans Employment Opportunities Act of 1998 which extends to the Congress certain rights, protections, and responsibilities under section 2108, 3309 through 3312, and subchapter I of chapter 35 of title 5, United States Code. On December 10, 2010, the Senate agreed both to S. Res. 700 to provide for the approval of final regulations that are applicable to the employing offices and covered employees of the Senate, and to S. Con. Res. 77 to provide for approval of final regulations that are applicable to the instrumentalities of the Congress, i.e., the employing offices and employees other than those offices and employees of the House and the Senate. Both S. Res. 700 and S. Con. Res. 77 included technical corrections to the regulations. On December 15, 2010, the House agreed to S. Con. Res. 77, covering the instrumentalities, and in addition approved H. Res. 1757, to provide for the approval of the final regulations that are applicable to employing offices and covered employees of the House. H. Res. 1757 also included technical corrections. On December 22, 2010, the House agreed to H. Res. 1783 amending the technical corrections of H. Res. 1757 and the Senate agreed to S. Res. 705 amending the technical corrections of S. Res. 700.

Together with the Senate's approval of Res. 700, S. Res. 705, and S. Con. Res. 77, the House's concurrence in S. Con. Res. 77 and its approval of H. Res. 1757 and H. Res. 1783 constitute approval under section 304(c) of the CAA of the Board's regulations pursuant to section 4(c)(3) of the Veterans Employment Opportunities Act of 1998. These regulations are applicable both to employing offices and covered employees of the House and of the Senate (other than those House and Senate offices expressly excluded in section 4(c)(3) of the Veterans Employment Opportunities Act of 1998 and to the instrumentalities of the Congress. Accordingly, pursuant to section 304(d) of the CAA, the Board submits these regulations (with technical corrections included) to the Speaker of the House of Representatives and the President pro tempore of the Senate for issuance by publication in the Congressional Record.

Pursuant to paragraph (3) of section 304(d) of the CAA, the Board finds no good cause for advancing the effective date of the House regulations from 60 days after their issuance. Therefore, the regulations will go into effect 60 days from the date on which they are published in the Congressional Record following this transmittal from the Board of Directors of the Office of Compliance.

Respectfully submitted,

BARBARA L. CAMENS,
Chair of the Board of Directors
Office of Compliance.

Enclosure.

TEXT OF REGULATIONS FOR THE VETERANS
EMPLOYMENT OPPORTUNITIES ACT OF 1998

When approved by the House of Representatives for the House of Representatives, these regulations will have the prefix "H." When approved by the Senate for the Senate, these regulations will have the prefix "S." When approved by Congress for the other employing offices covered by the CAA, these regulations will have the prefix "C."

In this draft, "H&S Regs" denotes the provisions that would be included in the regulations applicable to be made applicable to the House and Senate, and "C Reg" denotes the provisions that would be included in the regulations to be made applicable to other employing offices.

PART 1—Extension of Rights and Protections Relating to Veterans' Preference Under Title 5, United States Code, to Covered Employees of the Legislative Branch (section 4(c) of the Veterans Employment Opportunities Act of 1998)

Subpart A—Matters of General Applicability to All Regulations Promulgated under Section 4 of the VEOA

Sec.

1.101 Purpose and scope.

1.102 Definitions.

1.103 Adoption of regulations.

1.104 Coordination with section 225 of the Congressional Accountability Act.

SEC. 1.101. PURPOSE AND SCOPE.

(a) Section 4(c) of the VEOA. The Veterans Employment Opportunities Act of 1998 (VEOA) applies the rights and protections of sections 2108, 3309 through 3312, and subchapter I of chapter 35 of title 5 U.S.C., to certain covered employees within the Legislative branch.

(b) Purpose of regulations. The regulations set forth herein are the substantive regulations that the Board of Directors of the Office of Compliance has promulgated pursuant to section 4(c)(4) of the VEOA, in accordance with the rulemaking procedure set forth in section 304 of the CAA (2 U.S.C. §1384). The purpose of subparts B, C and D of these regulations is to define veterans' preference and the administration of veterans' preference as

applicable to Federal employment in the Legislative branch. (5 U.S.C. §2108, as applied by the VEOA). The purpose of subpart E of these regulations is to ensure that the principles of the veterans' preference laws are integrated into the existing employment and retention policies and processes of those employing offices with employees covered by the VEOA, and to provide for transparency in the application of veterans' preference in covered appointment and retention decisions. Provided, nothing in these regulations shall be construed so as to require an employing office to reduce any existing veterans' preference rights and protections that it may afford to preference eligible individuals.

H Regs: (c) Scope of Regulations. The definition of "covered employee" in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term "covered employee" excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made by a Member of Congress within an employing office, as defined by Sec. 101 (9)(A–C) of the CAA, 2 U.S.C. §1301 (9)(A–C) or; (3) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (4) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

S Regs: (c) Scope of Regulations. The definition of "covered employee" in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term "covered employee" excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made or directed by a Member of Congress within an employing office, as defined by Sec. 101(9)(A–C) of the CAA, 2 U.S.C. §1301 (9)(A–C) or; (3) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (4) who is appointed pursuant to section 105(a) of the Second Supplemental Appropriation Act, 1978; or (5) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

C Regs: (c) Scope of Regulations. The definition of "covered employee" in Section 4(c) of the VEOA limits the scope of the statute's applicability within the Legislative branch. The term "covered employee" excludes any employee: (1) whose appointment is made by the President with the advice and consent of the Senate; (2) whose appointment is made by a Member of Congress or by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (3) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). Accordingly, these regulations shall not apply to any employing office that only employs individuals excluded from the definition of covered employee.

SEC. 1.102. DEFINITIONS.

Except as otherwise provided in these regulations, as used in these regulations:

(a) "Accredited physician" means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices. The phrase "authorized to practice by the State" as used in this section means that the provider must be authorized to diagnose and treat physical or mental health conditions without supervision by a doctor or other health care provider.

(b) "Act" or "CAA" means the Congressional Accountability Act of 1995, as amended (Pub. L. 104–1, §109 Stat. 3, 2 U.S.C. §§1301–1438).

(c) "Active duty" or "active military duty" means full-time duty with military pay and allowances in the armed forces, except (1) for training or for determining physical fitness and (2) for service in the Reserves or National Guard.

(d) "Appointment" means an individual's appointment to employment in a covered position, but does not include any personnel action that an employing office takes with regard to an existing employee of the employing office.

(e) "Armed forces" means the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.

(f) "Board" means the Board of Directors of the Office of Compliance.

H Regs: (g) "Covered employee" means any employee of (1) the House of Representatives; and (2) the Senate; (3) the Office of Congressional Accessibility Services; (4) the Capitol Police; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; or (8) the Office of Compliance, but does not include an employee (aa) whose appointment is made by the President with the advice and consent of the Senate; (bb) whose appointment is made by a Member of Congress; (cc) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (dd) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

S Regs: (g) "Covered employee" means any employee of (1) the House of Representatives; and (2) the Senate; (3) the Office of Congressional Accessibility Services; (4) the Capitol Police; (5) the Congressional Budget Office; (6) the Office of the Architect of the Capitol; (7) the Office of the Attending Physician; or (8) the Office of Compliance, but does not include an employee (aa) whose appointment is made by the President with the advice and consent of the Senate; (bb) whose appointment is made or directed by a Member of Congress; (cc) whose appointment is made by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; (dd) who is appointed pursuant to section 105(a) of the Second Supplemental Appropriations Act, 1978; or (ee) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

C Regs: (g) "Covered employee" means any employee of (1) the Office of Congressional Accessibility Services; (2) the Capitol Police; (3) the Congressional Budget Office; (4) the Office of the Architect of the Capitol; (5) the Office of the Attending Physician; or (6) the Office of Compliance, but does not include an employee: (aa) whose appointment

is made by the President with the advice and consent of the Senate; or (bb) whose appointment is made by a Member of Congress or by a committee or subcommittee of either House of Congress or a joint committee of the House of Representatives and the Senate; or (cc) who is appointed to a position, the duties of which are equivalent to those of a Senior Executive Service position (within the meaning of section 3132(a)(2) of title 5, United States Code). The term covered employee includes an applicant for employment in a covered position and a former covered employee.

(h) "Covered position" means any position that is or will be held by a covered employee.

(i) "Disabled veteran" means a person who was separated under honorable conditions from active duty in the armed forces performed at any time and who has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pensions because of a public statute administered by the Department of Veterans Affairs or a military department.

(j) Employee of the Office of the Architect of the Capitol includes any employee of the Office of the Architect of the Capitol or the Botanic Gardens.

(k) Employee of the Capitol Police includes any member or officer of the Capitol Police.

H Regs: (1) Employee of the House of Representatives includes an individual occupying a position the pay of which is disbursed by the Clerk of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives but not any such individual employed by any entity listed in subparagraphs (3) through (8) of paragraph (g) above nor any individual described in subparagraphs (aa) through (dd) of paragraph (g) section 1.102 of the regulations classified with an "H" classification.

S Regs: (1) Employee of the House of Representatives includes an individual occupying a position the pay of which is disbursed by the Clerk of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives but not any such individual employed by any entity listed in paragraph (g) above nor any individual described in subparagraphs (aa) through (dd) of paragraph (g) section 1.102 of the regulations classified with an "H" classification.

C Regs: (1) Employee of the House of Representatives includes an individual occupying a position the pay of which is disbursed by the Clerk of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives but not any such individual employed by any entity listed in paragraph (g) above nor any individual described in subparagraphs (aa) through (dd) of paragraph (g) section 1.102 of the regulations classified with an "H" classification.

H Regs: (m) Employee of the Senate includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (3) through (8) of paragraph (g) above nor any individual described in subparagraphs (aa) through (ee) of paragraph (g) section 1.102 of the regulations classified with an "S" classification.

S Regs: (m) Employee of the Senate includes any employee whose pay is disbursed

by the Secretary of the Senate, but not any such individual employed by any entity listed in paragraph (g) above nor any individual described in subparagraphs (aa) through (ee) of paragraph (g) section 1.102 of the regulations classified with an "S" classification.

C Regs: (m) Employee of the Senate includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in paragraph (g) above nor any individual described in subparagraphs (aa) through (ee) of paragraph (g) section 1.102 of the regulations classified with an "S" classification.

H Regs: (n) "Employing office" means: (1) the personal office of a Member of the House of Representatives; (2) a committee of the House of Representatives or a joint committee of the House of Representatives and the Senate; or (3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate.

S Regs: (n) "Employing office" means: (1) the personal office of a Senator; (2) a committee of the Senate or a joint committee of the House of Representatives and the Senate; or (3) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate.

C Regs: (n) "Employing office" means: the Office of Congressional Accessibility Services, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, and the Office of Compliance.

(o) "Office" means the Office of Compliance.

(p) "Preference" eligible means veterans, spouses, widows, widowers or mothers who meet the definition of "preference eligible" in 5 U.S.C. § 2108(3)(A)-(G).

(q) "Qualified applicant" means an applicant for a covered position whom an employing office deems to satisfy the requisite minimum job-related requirements of the position. Where the employing office uses an entrance examination or evaluation for a covered position that is numerically scored, the term "qualified applicant" shall mean that the applicant has received a passing score on the examination or evaluation.

(r) "Separated under honorable conditions" means either an honorable or a general discharge from the armed forces. The Department of Defense is responsible for administering and defining military discharges.

(s) "Uniformed services" means the armed forces, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration.

(t) "VEOA" means the Veterans Employment Opportunities Act of 1998 (Pub. L. 105-339, 112 Stat. 3182).

(u) "Veterans" means persons as defined in 5 U.S.C. § 2108(1), or any superseding legislation.

SEC. 1.103. ADOPTION OF REGULATIONS.

(a) Adoption of regulations. Section 4(c)(4)(A) of the VEOA generally authorizes the Board to issue regulations to implement section 4(c). In addition, section 4(c)(4)(B) of the VEOA directs the Board to promulgate regulations that are "the same as the most relevant substantive regulations (applicable with respect to the Executive branch) promulgated to implement the statutory provisions referred to in paragraph (2)" of section 4(c) of the VEOA. Those statutory provisions

are section 2108, sections 3309 through 3312, and subchapter I of chapter 35, of title 5, United States Code. The regulations issued by the Board herein are on all matters for which section 4(c)(4)(B) of the VEOA requires a regulation to be issued. Specifically, it is the Board's considered judgment based on the information available to it at the time of promulgation of these regulations, that, with the exception of the regulations adopted and set forth herein, there are no other "substantive regulations (applicable with respect to the Executive branch) promulgated to implement the statutory provisions referred to in paragraph (2)" of section 4(c) of the VEOA that need be adopted.

(b) Modification of substantive regulations. As a qualification to the statutory obligation to issue regulations that are "the same as the most substantive regulations (applicable with respect to the Executive branch)", section 4(c)(4)(B) of the VEOA authorizes the Board to "determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under" section 4(c) of the VEOA.

(c) Rationale for Departure from the Most Relevant Executive Branch Regulations. The Board concludes that it must promulgate regulations accommodating the human resource systems existing in the Legislative branch; and that such regulations must take into account the fact that the Board does not possess the statutory and Executive Order based government-wide policy making authority underlying OPM's counterpart VEOA regulations governing the Executive branch. OPM's regulations are designed for the competitive service (defined in 5 U.S.C. § 2102(a)(2)), which does not exist in the employing offices subject to this regulation. Therefore, to follow the OPM regulations would create detailed and complex rules and procedures for a workforce that does not exist in the Legislative branch, while providing no VEOA protections to the covered Legislative branch employees. We have chosen to propose specially tailored regulations, rather than simply to adopt those promulgated by OPM, so that we may effectuate Congress' intent in extending the principles of the veterans' preference laws to the Legislative branch through the VEOA.

SEC. 1.104. COORDINATION WITH SECTION 225 OF THE CONGRESSIONAL ACCOUNTABILITY ACT.

Statutory directive. Section 4(c)(4)(C) of the VEOA requires that promulgated regulations must be consistent with section 225 of the CAA. Among the relevant provisions of section 225 are subsection (f)(1), which prescribes as a rule of construction that definitions and exemptions in the laws made applicable by the CAA shall apply under the CAA, and subsection (f)(3), which states that the CAA shall not be considered to authorize enforcement of the CAA by the Executive branch.

Subpart B—Veterans' Preference—General Provisions

Sec.

1.105 Responsibility for administration of veterans' preference.

1.106 Procedures for bringing claims under the VEOA.

SEC. 1.105. RESPONSIBILITY FOR ADMINISTRATION OF VETERANS' PREFERENCE.

Subject to section 1.106, employing offices with covered employees or covered positions are responsible for making all veterans' preference determinations, consistent with the VEOA.

SEC. 1.106. PROCEDURES FOR BRINGING CLAIMS UNDER THE VEOA.

Applicants for appointment to a covered position and covered employees may contest

adverse veterans' preference determinations, including any determination that a preference eligible applicant is not a qualified applicant, pursuant to sections 401–416 of the CAA, 2 U.S.C. §§ 1401–1416, and provisions of law referred to therein; 206a(3) of the CAA, 2 U.S.C. §§ 1401, section 4(c)(3) of the Veterans Employment Opportunities Act of 1998; and the Office's Procedural Rules.

Subpart C—Veterans' Preference in Appointments

- Sec.
- 1.107 Veterans' preference in appointments to restricted covered positions.
- 1.108 Veterans' preference in appointments to non-restricted covered positions.
- 1.109 Crediting experience in appointments to covered positions.
- 1.110 Waiver of physical requirements in appointments to covered positions.

SEC. 1.107. VETERANS' PREFERENCE IN APPOINTMENTS TO RESTRICTED POSITIONS.

In each appointment action for the positions of custodian, elevator operator, guard, and messenger (as defined below and collectively referred to in these regulations as restricted covered positions) employing offices shall restrict competition to preference eligible applicants as long as qualified preference eligible applicants are available. The provisions of sections 1.109 and 1.110 below shall apply to the appointment of a preference eligible applicant to a restricted covered position. The provisions of section 1.108 shall apply to the appointment of a preference eligible applicant to a restricted covered position, in the event that there is more than one preference eligible applicant for the position.

Custodian—One whose primary duty is the performance of cleaning or other ordinary routine maintenance duties in or about a government building or a building under Federal control, park, monument, or other Federal reservation.

Elevator operator—One whose primary duty is the running of freight or passenger elevators. The work includes opening and closing elevator gates and doors, working elevator controls, loading and unloading the elevator, giving information and directions to passengers such as on the location of offices, and reporting problems in running the elevator.

Guard—One whose primary duty is the assignment to a station, beat, or patrol area in a Federal building or a building under Federal control to prevent illegal entry of persons or property; or required to stand watch at or to patrol a Federal reservation, industrial area, or other area designated by Federal authority, in order to protect life and property; make observations for detection of fire, trespass, unauthorized removal of public property or hazards to Federal personnel or property. The term guard does not include law enforcement officer positions of the Capitol Police.

Messenger—One whose primary duty is the supervision or performance of general messenger work (such as running errands, delivering messages, and answering call bells).

SEC. 1.108. VETERANS' PREFERENCE IN APPOINTMENTS TO NON-RESTRICTED COVERED POSITIONS.

(a) Where an employing office has duly adopted a policy requiring the numerical scoring or rating of applicants for covered positions, the employing office shall add points to the earned ratings of those preference eligible applicants who receive passing scores in an entrance examination, in a manner that is proportionately comparable to the points prescribed in 5 U.S.C. 3309. For example, five preference points shall be

granted to preference eligible applicants in a 100-point system, one point shall be granted in a 20-point system, and so on.

(b) In all other situations involving appointment to a covered position, employing offices shall consider veterans' preference eligibility as an affirmative factor in the employing office's determination of who will be appointed from among qualified applicants.

SEC. 1.109. CREDITING EXPERIENCE IN APPOINTMENTS TO COVERED POSITIONS.

When considering applicants for covered positions in which experience is an element of qualification, employing offices shall provide preference eligible applicants with credit:

(a) for time spent in the military service (1) as an extension of time spent in the position in which the applicant was employed immediately before his/her entrance into the military service, or (2) on the basis of actual duties performed in the military service, or (3) as a combination of both methods. Employing offices shall credit time spent in the military service according to the method that will be of most benefit to the preference eligible applicant; and

(b) for all experience material to the position for which the applicant is being considered, including experience gained in religious, civic, welfare, service, and organizational activities, regardless of whether he/she received pay therefor.

SEC. 1.110. WAIVER OF PHYSICAL REQUIREMENTS IN APPOINTMENTS TO COVERED POSITIONS.

(a) Subject to (c) below, in determining qualifications of a preference eligible for appointment, an employing office shall waive:

(1) with respect to a preference eligible applicant, requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) with respect to a preference eligible applicant to whom it has made a conditional offer of employment, physical requirements if, in the opinion of the employing office, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the preference eligible applicant, the preference eligible applicant is physically able to perform efficiently the duties of the position;

(b) Subject to (c) below, if an employing office determines, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the preference eligible applicant, that an applicant to whom it has made a conditional offer of employment is preference eligible as a disabled veteran as described in 5 U.S.C. § 2108(3)(C) and who has a compensable service-connected disability of 30 percent or more is not able to fulfill the physical requirements of the covered position, the employing office shall notify the preference eligible applicant of the reasons for the determination and of the right to respond and to submit additional information to the employing office, within 15 days of the date of the notification. The head of the employing office may, by providing written notice to the preference eligible applicant, shorten the period for submitting a response with respect to an appointment to a particular covered position, if necessary because of a need to fill the covered position immediately. Should the preference eligible applicant make a timely response, the highest ranking individual or group of individuals with authority to make employment decisions on behalf of the employing office shall render a final determination of the physical ability of the preference eligible applicant to perform the duties of the position, taking into account the response and any additional information provided by the preference eligible

applicant. When the employing office has completed its review of the proposed disqualification on the basis of physical disability, it shall send its findings to the preference eligible applicant.

(c) Nothing in this section shall relieve an employing office of any obligations it may have pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.) as applied by section 102(a)(3) of the Act, 2 U.S.C. § 1302(a)(3).

Subpart D—Veterans' preference in reductions in force

- Sec.
- 1.111 Definitions applicable in reductions in force.
- 1.112 Application of preference in reductions in force.
- 1.113 Crediting experience in reductions in force.
- 1.114 Waiver of physical requirements in reductions in force.
- 1.115 Transfer of functions.

SEC. 1.111. DEFINITIONS APPLICABLE IN REDUCTIONS IN FORCE.

(a) Competing covered employees are the covered employees within a particular position or job classification, at or within a particular competitive area, as those terms are defined below.

(b) Competitive area is that portion of the employing office's organizational structure, as determined by the employing office, in which covered employees compete for retention. A competitive area must be defined solely in terms of the employing office's organizational unit(s) and geographical location, and it must include all employees within the competitive area so defined. A competitive area may consist of all or part of an employing office. The minimum competitive area is a department or subdivision of the employing office within the local commuting area.

(c) Position classifications or job classifications are determined by the employing office, and shall refer to all covered positions within a competitive area that are in the same grade, occupational level or classification, and which are similar enough in duties, qualification requirements, pay schedules, tenure (type of appointment) and working conditions so that an employing office may reassign the incumbent of one position to any of the other positions in the position classification without undue interruption.

(d) Preference Eligibles. For the purpose of applying veterans' preference in reductions in force, except with respect to the application of section 1.114 of these regulations regarding the waiver of physical requirements, the following shall apply:

(1) "active service" has the meaning given it by section 101 of title 37;

(2) "a retired member of a uniformed service" means a member or former member of a uniformed service who is entitled, under statute, to retired, retirement, or retainer pay on account of his/her service as such a member; and

(3) a preference eligible covered employee who is a retired member of a uniformed service is considered a preference eligible only if

(A) his/her retirement was based on disability—

(i) resulting from injury or disease received in line of duty as a direct result of armed conflict; or

(ii) caused by an instrumentality of war and incurred in the line of duty during a period of war as defined by sections 101 and 1101 of title 38;

(B) his/her service does not include twenty or more years of full-time active service, regardless of when performed but not including periods of active duty for training; or

(C) on November 30, 1964, he/she was employed in a position to which this subchapter

applies and thereafter he/she continued to be so employed without a break in service of more than 30 days.

The definition of "preference eligible" as set forth in 5 U.S.C 2108 and section 1.102(p) of these regulations shall apply to waivers of physical requirements in determining an employee's qualifications for retention under section 1.114 of these regulations.

H&S Regs: (e) Reduction in force is any termination of a covered employee's employment or the reduction in pay and/or position grade of a covered employee for more than 30 days and that may be required for budgetary or workload reasons, changes resulting from reorganization, or the need to make room for an employee with reemployment or restoration rights. The term "reduction in force" does not encompass a termination or other personnel action: (1) predicated upon performance, conduct or other grounds attributable to an employee, or (2) involving an employee who is employed by the employing office on a temporary basis, or (3) attributable to a change in party leadership or majority party status within the House of Congress where the employee is employed.

C Reg: (e) Reduction in force is any termination of a covered employee's employment or the reduction in pay and/or position grade of a covered employee for more than 30 days and that may be required for budgetary or workload reasons, changes resulting from reorganization, or the need to make room for an employee with reemployment or restoration rights. The term "reduction in force" does not encompass a termination or other personnel action: (1) predicated upon performance, conduct or other grounds attributable to an employee, or (2) involving an employee who is employed by the employing office on a temporary basis.

(f) Undue interruption is a degree of interruption that would prevent the completion of required work by a covered employee 90 days after the employee has been placed in a different position under this part. The 90-day standard should be considered within the allowable limits of time and quality, taking into account the pressures of priorities, deadlines, and other demands. However, work generally would not be considered to be unduly interrupted if a covered employee needs more than 90 days after the reduction in force to perform the optimum quality or quantity of work. The 90-day standard may be extended if placement is made under this part to a program accorded low priority by the employing office, or to a vacant position.

SEC. 1.112. APPLICATION OF PREFERENCE IN REDUCTIONS IN FORCE.

Prior to carrying out a reduction in force that will affect covered employees, employing offices shall determine which, if any, covered employees within a particular group of competing covered employees are entitled to veterans' preference eligibility status in accordance with these regulations. In determining which covered employees will be retained, employing offices will treat veterans' preference as the controlling factor in retention decisions among such competing covered employees, regardless of length of service or performance, provided that the preference eligible employee's performance has not been determined to be unacceptable. Provided, a preference eligible employee who is a "disabled veteran" under section 1.102(i) above who has a compensable service-connected disability of 30 percent or more and whose performance has not been determined to be unacceptable by an employing office is entitled to be retained in preference to other preference eligible employees. Provided, this section does not relieve an employing office of any greater obligation it may be subject to pursuant to the Worker Adjustment, and Retraining Notification Act (29 U.S.C. §2101

et seq.) as applied by section 102(a)(9) of the CAA, 2 U.S.C. §1302(a)(9).

SEC. 1.113. CREDITING EXPERIENCE IN REDUCTIONS IN FORCE.

In computing length of service in connection with a reduction in force, the employing office shall provide credit to preference eligible covered employees as follows:

(a) a preference eligible covered employee who is not a retired member of a uniformed service is entitled to credit for the total length of time in active service in the armed forces;

(b) a preference eligible covered employee who is a retired member of a uniformed service is entitled to credit for:

(1) the length of time in active service in the armed forces during a war, or in a campaign or expedition for which a campaign badge has been authorized; or

(2) the total length of time in active service in the armed forces if he is included under 5 U.S.C. §3501(a)(3)(A), (B), or (C); and

(c) a preference eligible covered employee is entitled to credit for:

(1) service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Allotment Act or of a committee or association of producers described in section 10(b) of the Agricultural Adjustment Act, reenacted with amendments by the Agricultural Marketing Agreement Act of 1937; and

(2) service rendered as an employee described in 5 U.S.C. §2105(c) if such employee moves or has moved, on or after January 1, 1966, without a break in service of more than 3 days, from a position in a nonappropriated fund instrumentality of the Department of Defense or the Coast Guard to a position in the Department of Defense or the Coast Guard, respectively, that is not described in 5 U.S.C. §2105(c).

SEC. 1.114. WAIVER OF PHYSICAL REQUIREMENTS IN REDUCTIONS IN FORCE.

(a) If an employing office determines, on the basis of evidence before it, that a covered employee is preference eligible, the employing office shall waive, in determining the covered employee's retention status in a reduction in force:

(1) requirements as to age, height, and weight, unless the requirement is essential to the performance of the duties of the position; and

(2) physical requirements if, in the opinion of the employing office, on the basis of evidence before it, including any recommendation of an accredited physician submitted by the employee, the preference eligible covered employee is physically able to perform efficiently the duties of the position.

(b) If an employing office determines that a covered employee who is a preference eligible as a disabled veteran as described in 5 U.S.C. §2108(3)(c) and has a compensable service-connected disability of 30 percent or more is not able to fulfill the physical requirements of the covered position, the employing office shall notify the preference eligible covered employee of the reasons for the determination and of the right to respond and to submit additional information to the employing office within 15 days of the date of the notification. Should the preference eligible covered employee make a timely response, the highest ranking individual or group of individuals with authority to make employment decisions on behalf of the employing office, shall render a final determination of the physical ability of the preference eligible covered employee to perform the duties of the covered position, taking into account the evidence before it, including the response and any additional information provided by the preference eligible. When the employing office has completed its

review of the proposed disqualification on the basis of physical disability, it shall send its findings to the preference eligible covered employee.

(c) Nothing in this section shall relieve an employing office of any obligation it may have pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. §1302(a)(3).

SEC. 1.115. TRANSFER OF FUNCTIONS.

(a) When a function is transferred from one employing office to another employing office, each covered employee in the affected position classifications or job classifications in the function that is to be transferred shall be transferred to the receiving employing office for employment in a covered position for which he/she is qualified before the receiving employing office may make an appointment from another source to that position.

(b) When one employing office is replaced by another employing office, each covered employee in the affected position classifications or job classifications in the employing office to be replaced shall be transferred to the replacing employing office for employment in a covered position for which he/she is qualified before the replacing employing office may make an appointment from another source to that position.

Subpart E—Adoption of Veterans' preference policies, recordkeeping & informational requirements.

Sec.

- 1.116 Adoption of veterans' preference policy.
- 1.117 Preservation of records made or kept.
- 1.118 Dissemination of veterans' preference policies to applicants for covered positions.
- 1.119 Information regarding veterans' preference determinations in appointments.
- 1.120 Dissemination of veterans' preference policies to covered employees.
- 1.121 Written notice prior to a reduction in force.

SEC. 1.116. ADOPTION OF VETERANS' PREFERENCE POLICY.

No later than 120 calendar days following Congressional approval of this regulation, each employing office that employs one or more covered employees or that seeks applicants for a covered position shall adopt its written policy specifying how it has integrated the veterans' preference requirements of the Veterans Employment Opportunities Act of 1998 and these regulations into its employment and retention processes. Each such employing office will make its policies available to applicants for appointment to a covered position and to covered employees in accordance with these regulations. The act of adopting a veterans' preference policy shall not relieve any employing office of any other responsibility or requirement of the Veterans Employment Opportunity Act of 1998 or these regulations. An employing office may amend or replace its veterans' preference policies as it deems necessary or appropriate, so long as the resulting policies are consistent with the VEOA and these regulations.

SEC. 1.117. PRESERVATION OF RECORDS MADE OR KEPT.

An employing office that employs one or more covered employees or that seeks applicants for a covered position shall maintain any records relating to the application of its veterans' preference policy to applicants for covered positions and to workforce adjustment decisions affecting covered employees for a period of at least one year from the date of the making of the record or the date of the personnel action involved or, if later, one year from the date on which the applicant or covered employee is notified of the

personnel action. Where a claim has been brought under section 401 of the CAA against an employing office under the VEOA, the respondent employing office shall preserve all personnel records relevant to the claim until final disposition of the claim. The term "personnel records relevant to the claim", for example, would include records relating to the veterans' preference determination regarding the person bringing the claim and records relating to any veterans' preference determinations regarding other applicants for the covered position the person sought, or records relating to the veterans' preference determinations regarding other covered employees in the person's position or job classification. The date of final disposition of the charge or the action means the latest of the date of expiration of the statutory period within which the aggrieved person may file a complaint with the Office or in a U.S. District Court or, where an action is brought against an employing office by the aggrieved person, the date on which such litigation is terminated.

SEC. 1.118. DISSEMINATION OF VETERANS' PREFERENCE POLICIES TO APPLICANTS FOR COVERED POSITIONS.

(a) An employing office shall state in any announcements and advertisements it makes concerning vacancies in covered positions that the staffing action is governed by the VEOA.

(b) An employing office shall invite applicants for a covered position to identify themselves as veterans' preference eligible applicants, provided that in doing so:

(1) the employing office shall state clearly on any written application or questionnaire used for this purpose or make clear orally, if a written application or questionnaire is not used, that the requested information is intended for use solely in connection with the employing office's obligations and efforts to provide veterans' preference to preference eligible applicants in accordance with the VEOA;

(2) the employing office shall state clearly that disabled veteran status is requested on a voluntary basis, that it will be kept confidential in accordance with the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. § 1302(a)(3), that refusal to provide it will not subject the individual to any adverse treatment except the possibility of an adverse determination regarding the individual's status as a preference eligible applicant as a disabled veteran under the VEOA, and that any information obtained in accordance with this section concerning the medical condition or history of an individual will be collected, maintained and used only in accordance with the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.) as applied by section 102(a)(3) of the CAA, 2 U.S.C. § 1302(a)(3); and

(3) the employing office shall state clearly that applicants may request information about the employing office's veterans' preference policies as they relate to appointments to covered positions, and shall describe the employing office's procedures for making such requests.

(c) Upon written request by an applicant for a covered position, an employing office shall provide the following information in writing:

(1) the VEOA definition of "preference eligible" as set forth in 5 U.S.C. § 2108 or any superseding legislation, providing the actual, current definition in a manner designed to be understood by applicants, along with the statutory citation; and

(2) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to appointments to cov-

ered positions, including any procedures the employing office shall use to identify preference eligible employees; and

(3) the employing office may provide other information to applicants regarding its veterans' preference policies and practices, but is not required to do so by these regulations.

(d) Employing offices are also expected to answer questions from applicants for covered positions that are relevant and non-confidential concerning the employing office's veterans' preference policies and practices.

SEC. 1.119. INFORMATION REGARDING VETERANS' PREFERENCE DETERMINATIONS IN APPOINTMENTS.

Upon written request by an applicant for a covered position, the employing office shall promptly provide a written explanation of the manner in which veterans' preference was applied in the employing office's appointment decision regarding that applicant. Such explanation shall include at a minimum:

(a) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to appointments to covered positions; and

(b) a statement as to whether the applicant is preference eligible and, if not, a brief statement of the reasons for the employing office's determination that the applicant is not preference eligible.

SEC. 1.120. DISSEMINATION OF VETERANS' PREFERENCE POLICIES TO COVERED EMPLOYEES.

(a) If an employing office that employs one or more covered employees provides any written guidance to such employees concerning employee rights generally or reductions in force more specifically, such as in a written employee policy, manual or handbook, such guidance must include information concerning veterans' preference under the VEOA, as set forth in subsection (b) of this regulation.

(b) Written guidances described in subsection (a) above shall include, at a minimum:

(1) the VEOA definition of veterans' "preference eligible" as set forth in 5 U.S.C. § 2108 or any superseding legislation, providing the actual, current definition along with the statutory citation; and

(2) the employing office's veterans' preference policy or a summary description of the employing office's veterans' preference policy as it relates to reductions in force, including the procedures the employing office shall take to identify preference eligible employees.

(3) the employing office may provide other information in its guidance regarding its veterans' preference policies and practices, but is not required to do so by these regulations.

(c) Employing offices are also expected to answer questions from covered employees that are relevant and non-confidential concerning the employing office's veterans' preference policies and practices.

SEC. 1.121. WRITTEN NOTICE PRIOR TO A REDUCTION IN FORCE.

(a) Except as provided under subsection (c), a covered employee may not be released due to a reduction in force, unless the covered employee and the covered employee's exclusive representative for collective-bargaining purposes (if any) are given written notice, in conformance with the requirements of paragraph (b), at least 60 days before the covered employee is so released.

(b) Any notice under paragraph (a) shall include—

(1) the personnel action to be taken with respect to the covered employee involved;

(2) the effective date of the action;

(3) a description of the procedures applicable in identifying employees for release;

(4) the covered employee's competitive area;

(5) the covered employee's eligibility for veterans' preference in retention and how that preference eligibility was determined;

(6) the retention status and preference eligibility of the other employees in the affected position classifications or job classifications within the covered employee's competitive area, by providing:

(A) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible; and

(B) a list of all covered employee(s) in the covered employee's position classification or job classification and competitive area who will not be retained by the employing office, identifying those employees by job title only and stating whether each such employee is preference eligible; and

(7) a description of any appeal or other rights which may be available.

(c) The head of the employing office may, in writing, shorten the period of advance notice required under subsection (a), with respect to a particular reduction in force, if necessary because of circumstances not reasonably foreseeable.

(d) No notice period may be shortened to less than 30 days under this subsection.

EXECUTIVE COMMUNICATIONS, ETC.

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

193. A letter from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting the Department's "Major" final rule — Subpart B — Advanced Biofuel Payment Program (RIN: 0570-AA75) received January 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

194. A letter from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting the Department's "Major" final rule — Biorefinery Assistance Guaranteed Loans (RIN: 0570-AA73) received January 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

195. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — Disclosure for Asset-Backed Securities Required by Section 943 of the Dodd-Frank Wall Street Reform and Consumer Protection Act [Release Nos. 33-9175; 34-63741; File No. S7-24-10] (RIN: 3235-AK75) received January 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

196. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's "Major" final rule — Issuer Review of Assets in Offerings of Asset-Backed Securities [Release Nos. 33-9176, 34-63742; File No. S7-26-10] (RIN: 3235-AK76) received January 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

197. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-638, "Annual Financial Reporting Modernization Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

198. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-630, "Veterans License Plates Authorization Amendment

Act of 2010"; to the Committee on Oversight and Government Reform.

199. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-649, "Rental Housing Commission Reform Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

200. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-637, "Computation of Gross Income Clarification Act of 2010"; to the Committee on Oversight and Government Reform.

201. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-650, "Rental Housing Act Extension Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

202. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-627, "Extension of Time Temporary Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

203. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-642, "Long-Term Care Ombudsman Program Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

204. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-641, "14W and Anthony Bowen YMCA Project Tax Abatement Implementation Clarification Act of 2010"; to the Committee on Oversight and Government Reform.

205. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-628, "Fiscal Year 2011 Income Tax Secured Revenue Refunding Bond Issuance Temporary Approval Act of 2010"; to the Committee on Oversight and Government Reform.

206. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-640, "Settlement Payment Integrity Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

207. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-626, "Performance Parking Extension Temporary Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

208. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-629, "Fiscal Year 2011 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Temporary Approval Act of 2010"; to the Committee on Oversight and Government Reform.

209. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-639, "Closing of a Public Alley in Square 0441, S.O. 09-8516, Act of 2010"; to the Committee on Oversight and Government Reform.

210. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-648, "Miss B's Center, the Bernice Elizabeth Fonteneau Building Designation Act of 2010"; to the Committee on Oversight and Government Reform.

211. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-625, "Department of Health Functions Clarification Temporary Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

212. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-624, "Solar Col-

lector Certification Temporary Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

213. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-632, "Samuel J. Simmons NCBA Estates No. 1 Limited Partnership Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2010"; to the Committee on Oversight and Government Reform.

214. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-634, "District of Columbia Uniform Law Commission Act of 2010"; to the Committee on Oversight and Government Reform.

215. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-631, "Artist Protection Act of 2010"; to the Committee on Oversight and Government Reform.

216. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-647, "District of Columbia Good Time Credits Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

217. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-646, "Reverend Donald Robinson Field Designation Act of 2010"; to the Committee on Oversight and Government Reform.

218. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-645, "Processing Sales Tax Clarification Act of 2010"; to the Committee on Oversight and Government Reform.

219. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-644, "Closing of G Street, S.E., adjacent to Square 1104, S.O. 06-5665, Act of 2010"; to the Committee on Oversight and Government Reform.

220. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-635, "Saving D.C. Homes from Foreclosure Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

221. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-643, "Capital Access Program Act of 2010"; to the Committee on Oversight and Government Reform.

222. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-636, "Alternative Money Lending and Services Reform Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

223. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-633, "Prevention of Child Abuse and Neglect Amendment Act of 2010"; to the Committee on Oversight and Government Reform.

224. A letter from the Chair of the Board of Directors, Office of Compliance, transmitting notice of proposed rulemaking regulations under Section 304(b)(1) of the Congressional Accountability Act of 1995 for publication in the Congressional Record, pursuant to 2 U.S.C. 1384(b)(1); to the Committee on House Administration.

225. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare, Medicaid, and Children's Health Insurance Programs; Additional Screening Requirements, Application Fees, Temporary Enrollment Moratoria, Payment Suspensions and Compliance Plans for Providers and Suppliers [CMS-6028-FC] (RIN: 0938-AQ20) received January 25, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to

the Committees on Ways and Means and Energy and Commerce.

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:

Ms. FOXX: Committee on Rules. House Resolution 54. Resolution providing for consideration of the bill (H.R. 359) to reduce Federal spending and the deficit by terminating taxpayer financing of Presidential election campaigns and party conventions (Rept. 112-5). 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. REHBERG (for himself, Mr. BARTLETT, Mr. BURGESS, Mr. DUNCAN of Tennessee, Mr. GRAVES of Missouri, Mr. HERGER, Mr. HUNTER, Mr. JONES, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. MCCOTTER, Mr. MCKINLEY, Mr. PAUL, Mr. ROSS of Arkansas, Mr. SCHOCK, Mr. SHIMKUS, Mr. SIMPSON, Mr. SMITH of Nebraska, Mr. TERRY, Mr. WALBERG, Mr. WALZ of Minnesota, Mr. WESTMORELAND, and Mr. YOUNG of Alaska):

H.R. 412. A bill to amend the lead prohibition provisions of the Consumer Product Safety Improvement Act of 2008 to provide an exemption for certain off-highway vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STARK:

H.R. 413. A bill to reduce the budget of the Department of Defense to the level provided for fiscal year 2008 and to freeze the budget at such level through fiscal year 2016; to the Committee on Armed Services.

By Mr. PRICE of North Carolina (for himself and Mr. VAN HOLLEN):

H.R. 414. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on House Administration, 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. COHEN (for himself, Mr. HINCHEY, Ms. JACKSON LEE of Texas, Mr. DAVIS of Illinois, Mr. JACKSON of Illinois, Mr. PAYNE, Mr. RANGEL, Ms. LEE of California, Mr. MARKEY, and Ms. NORTON):

H.R. 415. A bill to amend the Elementary and Secondary Education Act of 1965 to allow a local educational agency that receives a subgrant under section 2121 of such Act to use the funds to provide professional development activities that train school personnel about restorative justice and conflict resolution; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY (for herself, Mr. ANDREWS, Mrs. CAPPS, Ms. DELAURO, Mr. DOGGETT, Mr. ELLISON, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Ms. HARMAN, Ms. HIRONO, Mr. KILDEE, Ms. LEE of California, Mr. LEVIN, Mr. MARKEY, Mr. GEORGE MILLER of California, Ms.

MOORE, Mr. RANGEL, Ms. SPEIER, Mr. STARK, Ms. SUTTON, Mr. TONKO, Mr. WAXMAN, Ms. WOOLSEY, and Mr. PALLONE):

H.R. 416. A bill to amend the Public Health Service Act to provide protections for consumers against excessive, unjustified, or unfairly discriminatory increases in premium rates; to the Committee on Energy and Commerce.

By Mr. OWENS (for himself, Mr. TONKO, Ms. PINGREE of Maine, Mr. LOEBBACH, Mr. KEATING, Mr. WELCH, Mr. DEFAZIO, Ms. JACKSON LEE of Texas, Ms. HIRONO, Mr. PASCRELL, Mr. HOLT, Mr. WEINER, Mr. MICHAUD, and Mr. HINCHAY):

H.R. 417. A bill to amend the Internal Revenue Code of 1986 to repeal the expansion of certain information reporting requirements to corporations and to payments for property, to impose a surcharge on high income taxpayers, and for other purposes; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Mr. FATTAH, Mr. MORAN, Mr. MCNERNEY, Ms. WOOLSEY, and Mr. RYAN of Ohio):

H.R. 418. A bill to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted and denied their rights in foreign countries on account of gender, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COOPER (for himself, Mr. BARROW, Mr. MATHESON, Mr. CARDOZA, Mr. SCHIFF, Ms. LORETTA SANCHEZ of California, Mr. BOSWELL, Mr. BACA, Mr. ALTMIRE, Mr. BOREN, Mr. SHULER, Mr. ROSS of Arkansas, Mr. HARMAN, Mr. BISHOP of Georgia, Mr. COSTA, Mr. DONNELLY of Indiana, Mr. MCINTYRE, Mr. SCHRADER, Mr. HOLDEN, and Mr. CUELLAR):

H.R. 419. A bill to require States to carry out Congressional redistricting in accordance with a process under which members of the public are informed of redistricting proposals and have the opportunity to participate in the development of such proposals prior to their adoption, and for other purposes; to the Committee on the Judiciary.

By Mr. REHBERG (for himself and Mr. BOSWELL):

H.R. 420. A bill to provide an amnesty period during which veterans and their family members can register certain firearms in the National Firearms Registration and Transfer Record, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCLINTOCK (for himself, Mr. JORDAN, Ms. FOXX, Mr. GARRETT, Mr. CAMPBELL, Mr. FLORES, Mr. CHAFFETZ, Mrs. BLACKBURN, Mr. ROHRBACHER, Mr. LAMBORN, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, Mr. LONG, Mr. WEBSTER, Mr. GOHMERT, and Mr. FLAKE):

H.R. 421. A bill to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached; to the Committee on Ways and Means.

By Mr. BACA:

H.R. 422. A bill to amend the Elementary and Secondary Education Act of 1965 to ensure that schools have physical education

programs that meet minimum requirements for physical education; to the Committee on Education and the Workforce.

By Mr. BACA:

H.R. 423. A bill to amend the Help America Vote Act of 2002 to prevent the addresses of the residences of Members of Congress from appearing on the computerized Statewide voter registration lists required to be maintained by States under such Act, and to permit a Member of Congress who seeks to be a candidate for election for public office in a State to meet any requirement under State law to provide the appropriate election official with the address of the Member's residence by providing the chief State election official with an affidavit certifying that the Member is a resident of the State; to the Committee on House Administration.

By Mr. BURGESS:

H.R. 424. A bill to repeal certain amendments to the Clean Air Act relating to the expansion of the renewable fuel program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DOLD (for himself and Mr. LIPINSKI):

H.R. 425. A bill to amend the Federal Water Pollution Control Act to establish a deadline for restricting sewage dumping into the Great Lakes and to fund programs and activities for improving wastewater discharges into the Great Lakes; to the Committee on Transportation and Infrastructure.

By Mr. FLAKE:

H.R. 426. A bill to repeal certain incentives and subsidies for renewable fuels; 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. HELLER (for himself, Mr. HECK, and Ms. BERKLEY):

H.R. 427. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year recovery period for computer-based gambling machines; to the Committee on Ways and Means.

By Mr. HELLER (for himself, Mr. LEWIS of Georgia, Mr. THOMPSON of Pennsylvania, and Mr. CONNOLLY of Virginia):

H.R. 428. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services; to the Committee on Ways and Means.

By Mr. ISSA:

H.R. 429. A bill to repeal the Patient Protection and Affordable Care Act and the health care-related provisions in the Health Care and Education Reconciliation Act of 2010 and to amend title 5, United States Code, to establish a national health program administered by the Office of Personnel Management to offer Federal employee health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, Education and the Workforce, Natural Resources, the Judiciary, Rules, House Administration, and Appropriations, 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. JORDAN (for himself, Mr. ISSA, and Mr. MCHENRY):

H.R. 430. A bill to terminate the Home Affordable Modification Program of the Department of the Treasury; to the Committee on Financial Services.

By Mr. LATTA (for himself, Mr. MCCAUL, Mr. JORDAN, and Mr. NUGENT):

H.R. 431. A bill to eliminate automatic pay adjustments for Members of Congress, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARKEY (for himself, Ms. SLAUGHTER, Ms. SCHAKOWSKY, and Mr. MORAN):

H.R. 432. A bill to ban the use of bisphenol A in food containers, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MATSUI:

H.R. 433. A bill to authorize improvements to flood damage reduction facilities adjacent to the American and Sacramento Rivers near Sacramento, California, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MCMORRIS RODGERS:

H.R. 434. A bill to prevent the Secretary of the Treasury from hiring new employees to enforce the individual health insurance mandate; to the Committee on Ways and Means.

By Mrs. MILLER of Michigan:

H.R. 435. A bill to terminate the National Flood Insurance Program and related mandatory purchase and compliance requirements, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN (for himself, Mr. ALTMIRE, Mr. LEE of New York, Mr. GERLACH, Mr. REICHERT, Mr. LANGE, Mrs. MCMORRIS RODGERS, Mr. ROGERS of Michigan, Mr. BILBRAY, Mr. KLINE, Mr. CRAVAACK, Mrs. BACHMANN, Mr. AKIN, Mr. BARTLETT, Mr. BROUN of Georgia, Ms. BUERKLE, Mr. BURTON of Indiana, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. COLE, Mr. CRAWFORD, Mr. DENT, Mrs. ELLMERS, Mr. FLEMING, Mr. FLORES, Mr. FRANKS of Arizona, Mr. GIBBS, Mr. GOODLATTE, Mr. GUINTA, Mr. HARRIS, Mr. LAMBORN, Mr. LANKFORD, Mr. MARCHANT, Mr. MCCLINTOCK, Mr. NEUGEBAUER, Mr. NUGENT, Mr. POE of Texas, Mr. ROE of Tennessee, Mrs. SCHMIDT, Mr. STUTZMAN, Mr. WALSH of Illinois, and Mr. YOUNG of Indiana):

H.R. 436. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices; to the Committee on Ways and Means.

By Mr. POMPEO (for himself, Ms. JENKINS, and Mr. HUELSKAMP):

H.R. 437. A bill to authorize and request the President to award the Medal of Honor posthumously to Captain Emil Kapaun of the United States Army for acts of valor during the Korean War; to the Committee on Armed Services.

By Mr. WEINER:

H.R. 438. A bill to amend the Energy Policy and Conservation Act to provide further requirements for the Energy Star program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WELCH:

H.R. 439. A bill to provide for an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act, and for other purposes; 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. WOLF (for himself, Mr. PITTS, Mr. FRANKS of Arizona, Mr. HOLT, Ms. ESHOO, and Mr. SMITH of New Jersey):

H.R. 440. A bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia; to the Committee on Foreign Affairs.

By Mr. YOUNG of Alaska:

H.R. 441. A bill to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 442. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Natural Resources.

By Mr. YOUNG of Alaska:

H.R. 443. A bill to provide for the conveyance of certain property from the United States to the Maniilaq Association located in Kotzebue, Alaska; 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. YOUNG of Alaska:

H.R. 444. A bill to provide for the conveyance of certain property located in Anchorage, Alaska, from the United States to the Alaska Native Tribal Health Consortium; 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. YOUNG of Florida (for himself, Ms. BROWN of Florida, Mrs. ADAMS, Mr. ROSS of Florida, Mrs. MCMORRIS RODGERS, Mr. SESSIONS, Ms. GRANGER, Mrs. BLACKBURN, Mr. LARSEN of Washington, and Mr. CRENSHAW):

H.R. 445. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction of State and local general sales taxes; to the Committee on Ways and Means.

By Mr. WEINER (for himself, Ms. WASSERMAN SCHULTZ, Mr. ISRAEL, Mr. LARSON of Connecticut, Mr. ROONEY, Mr. WEST, and Mr. GRIMM):

H. Con. Res. 12. Concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSON of Connecticut:

H. Res. 52. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to, considered and agreed to.

By Mr. HENSARLING:

H. Res. 53. A resolution electing certain Members to certain standing committees of

the House of Representatives; considered and agreed to, considered and agreed to.

By Mr. BACA:

H. Res. 55. A resolution honoring Christina Taylor Green for giving the gift of life with organ donation and encouraging Americans to join her call to make organ donation a personal choice; to the Committee on Energy and Commerce.

By Mr. RIVERA (for himself, Ms. WASSERMAN SCHULTZ, and Ms. WILSON of Florida):

H. Res. 56. A resolution congratulating the Florida International University Golden Panthers for the school's first Bowl victory; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. DEGETTE introduced A bill (H.R. 446) for the relief of Rosa Isela Figueroa Rincon, Miguel Angel Figueroa Rincon, Blanca Azucena Figueroa Rincon, and Nancy Araceli Figueroa Rincon; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

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

By Mr. REHBERG:

H.R. 412.

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

Article 1, Section 8, Clause 3: The Congress shall have Power To regulate Commerce with foreign nations, and among the several States, and with the Indian Tribes.

By Mr. STARK:

H.R. 413.

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

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives (Article I, Section 1).

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14 of the United States Constitution.

By Mr. PRICE of North Carolina:

H.R. 414.

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

Congressional power to provide for public financing of presidential campaigns arises under the General Welfare Clause, Art. I, Sec. 8, of the Constitution. In *Buckley v. Valeo*, 424 U.S. 1, 91 (1976), the Supreme Court upheld the congressional power to enact public financing of presidential elections under this Clause. The Supreme Court stated with regard to the provisions in the Federal Election Campaign Act Amendments of 1974 establishing a presidential public financing system, "In this case, Congress was legislating for the 'general welfare'—to reduce the deleterious influence of large contributions on our political process, to facilitate communication by candidates with the electorate, and to free candidates from the rigors of fundraising."

By Mr. COHEN:

H.R. 415.

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

The changes made by this bill to the Elementary and Secondary Education Act are within Congress' authority under Article I, Section 8, Clause 1 of the Constitution.

By Ms. SCHAKOWSKY:

H.R. 416.

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

"The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clause 3), which grants Congress the power to regulate Commerce among the several States."

By Mr. OWENS:

H.R. 417.

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

Article 1, Section 8, Clauses 1 and 18:

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

"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 Mrs. MALONEY:

H.R. 418.

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

Article 1, Section 8, Clause 3, which reads: "To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes."

By Mr. COOPER:

H.R. 419.

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

(1) The authority granted to Congress under Article I, Section 4 of the Constitution of the United States gives Congress the power to enact laws governing the time, place, and manner of elections for Members of the House of Representatives; and

(2) The authority granted to Congress under Section 5 of the 14th Amendment to the Constitution gives Congress the power to enact laws to enforce Section 2 of such Amendment, which requires Representatives to be apportioned among the several States according to their number.

By Mr. REHBERG:

H.R. 420.

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

Article I, Section 8, Clause 1: "The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

Article I, Section 8, Clause 18: "The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof."

Second Amendment: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The specific Constitutional Authority cited here is not intended and should not be construed to be exclusive of any other general or specific Constitutional Authority that is otherwise applicable.

By Mr. McCLINTOCK:

H.R. 421.

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

Article 1, Section 8 of the United States Constitution states that "The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;"

By Mr. BACA:

H.R. 422.

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

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

By Mr. BACA:

H.R. 423.

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

Article I, Section 4, Clause of the U.S. Constitution.

By Mr. BURGESS:

H.R. 424.

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

The attached legislation falls under Congress' enumerated constitutional authority to regulate interstate commerce pursuant to Article I, Section 8, Clause 3.

By Mr. DOLD:

H.R. 425.

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

Article 1, Section 8, Clause 3, giving Congress the power to regulate interstate commerce.

By Mr. FLAKE:

H.R. 426.

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

Clause 1 of Section 8 of Article 1 of the United States Constitution.

By Mr. HELLER:

H.R. 427.

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

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. HELLER:

H.R. 428.

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

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. ISSA:

H.R. 429.

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

The Interstate Commerce Clause.

By Mr. JORDAN:

H.R. 430.

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

Clause 3 of Section 8 of Article I of the Constitution, under which Congress has the power to regulate commerce among the States.

By Mr. LATTA:

H.R. 431.

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

Article 1, Section 6: "The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States."

By Mr. MARKEY:

H.R. 432.

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

Clause 3 of Section 8 of Article I of the Constitution.

By Ms. MATSUI:

H.R. 433.

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

Article 1, Section 8, Clause 3.

By Mrs. McMORRIS RODGERS:

H.R. 434.

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

The Vesting Clauses of Articles I, II, and III along with the Supremacy Clause of Article VI, as well as of the Oath of Office that each constitutional officer of the Federal government must take pursuant to Article VI make clear that each coordinate branch of government must ensure that their actions are constitutional.

This bill is enacted pursuant to Congress' legislative powers under Article I, Section 1, of the Constitution, and the oath to support the Constitution that all Members are required to take under Article VI. Under those provisions, Congress has the authority to prevent the enforcement of unconstitutional federal laws previously passed.

By Mrs. MILLER of Michigan:

H.R. 435.

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

The bill accompanying this statement delivers powers back to the states, pursuant to the Tenth Amendment to the United States Constitution.

By Mr. PAULSEN:

H.R. 436.

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

Article 1, Section 8.

By Mr. POMPEO:

H.R. 437.

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

Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. WEINER:

H.R. 438.

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

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. WELCH:

H.R. 439.

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

Article One, Section 8, Clause 18—The Necessary and Proper Clause.

By Mr. WOLF:

H.R. 440.

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

Article I, Section 8, Clause 18 of the United States Constitution, which states: "The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof"

Article II, Section 2, Clause 2 of the United States Constitution, which states: "[The President] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which

shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments."

By Mr. YOUNG of Alaska:

H.R. 441.

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

Article IV, Section 3, Clause 2.

By Mr. YOUNG of Alaska:

H.R. 442.

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

Article IV, Section 3, Clause 2.

By Mr. YOUNG of Alaska:

H.R. 443.

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

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 3.

By Mr. YOUNG of Alaska:

H.R. 444.

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

Article IV, Section 3, Clause 2 and Article 1, Section 8, Clause 3.

By Mr. YOUNG of Florida:

H.R. 445.

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

Amendment XVI of the United States Constitution.

Ms. DEGETTE:

H.R. 446.

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

The power granted to Congress under Article I, Section 8, Clause 4 of the United States Constitution.

ADDITIONAL SPONSORS

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

H.R. 4: Mr. HOLDEN and Mr. COURTNEY.

H.R. 5: Mr. SESSIONS, Mr. ROGERS of Michigan, Mrs. BLACKBURN, and Mr. PLATTS.

H.R. 27: Mr. BLUMENAUER, Mr. LIPINSKI, Mr. FATTAH, Mr. ACKERMAN, Mr. BERMAN, Mr. CUMMINGS, Mrs. CAPPES, Mr. WAXMAN, Mr. MILLER of North Carolina, Mr. FILNER, Mr. GEORGE MILLER of California, and Ms. JACKSON LEE of Texas.

H.R. 38: Mr. CONAWAY, Mr. GIBBS, Mr. ROONEY, Mr. NUNNELEE, Mr. PAUL, and Mr. NUGENT.

H.R. 49: Mrs. MYRICK, Mr. ROGERS of Kentucky, Mr. KING of Iowa, and Mr. NUGENT.

H.R. 59: Mr. MCCOTTER.

H.R. 68: Mr. KLINE, Mr. ROSS of Florida, and Mr. MANZULLO.

H.R. 69: Mr. KLINE, Mr. ROSS of Florida, Mr. MANZULLO, Mr. POE of Texas, Mr. MARCHANT, and Mr. FLORES.

H.R. 97: Mr. LATTA and Mr. HARPER.

H.R. 111: Mr. BISHOP of New York, Ms. TSONGAS, and Ms. DEGETTE.

H.R. 152: Mr. JONES and Mr. LONG.

H.R. 153: Mr. FARENTHOLD, Mr. FLORES, and Mr. GOODLATTE.

H.R. 154: Mr. TERRY.

H.R. 198: Mr. LEE of New York, Ms. SUTTON, Mr. STARK, and Mr. LOBIONDO.

H.R. 212: Mr. POMPEO.

H.R. 217: Mr. YOUNG of Florida, Mr. CASSIDY, Mr. PETRI, Mr. LANDRY, and Mr. HULTGREN.

H.R. 234: Mr. HENSARLING.

H.R. 237: Mr. KISSELL and Mr. FILNER.

H.R. 262: Mr. BRADY of Texas, Mr. STIVERS, Mr. OWENS, Mr. CARNAHAN, Mr. KIND, and Mr. FORBES.

H.R. 303: Mr. MURPHY of Pennsylvania and Mr. MORAN.

H.R. 314: Mr. ROONEY and Mr. GRIMM.
 H.R. 347: Mr. DEUTCH.
 H.R. 358: Mr. PETRI and Mr. FLORES.
 H.R. 359: Mr. ROKITA and Mr. WILSON of South Carolina.
 H.R. 365: Mr. SHUSTER.
 H.R. 370: Mr. RANGEL.
 H.R. 386: Mr. LONG, Ms. CHU, and Mr. COBLE.

H.J. Res. 9: Mr. BARTON of Texas, Mr. THORNBERRY, Mr. OLSON, Mr. SAM JOHNSON of Texas, Ms. GRANGER, Mr. SESSIONS, Mr. LATHAM, Mr. KING of Iowa, Mr. CONAWAY, Mr. CALVERT, Ms. JENKINS, Mr. DENT, and Mr. FLORES.

H. Res. 11: Mr. LEVIN, Mr. VAN HOLLEN, Mr. MARKEY, Mr. YARMUTH, Mr. HIMES, Mr. MCDERMOTT, Mr. RANGEL, Mr. MEEKS, and Mr. GUTIERREZ.

H. Res. 20: Mr. JOHNSON of Georgia.
 H. Res. 25: Mr. WILSON of South Carolina and Mr. YOUNG of Florida.

H. Res. 34: Mr. MANZULLO, Mr. BURTON of Indiana, Mr. ROHRBACHER, Mr. Faleomavaega, Ms. LEE of California, Mr. ACKERMAN, Mr. BARROW, Mr. ENGEL, Mr. GALLEGLY, Mr. SIRES, Mr. MEEKS, Mr. MCDERMOTT, and Ms. BERKLEY.

H. Res. 41: Ms. FUDGE and Mr. CICILLINE.
 H. Res. 44: Mr. FLORES.

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:

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 359 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the U.S. House of Representatives.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 359

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT No. 2: Page 2, amend line 21 to read as follows: "to the Office of Justice Programs for local law enforcement for costs of providing security at Presidential nominating conventions."

H.R. 359

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT No. 3: Strike line 3 on page 1 and all that follows through line 2 on page 2 and insert the following:

SECTION 1. FINANCING OF SECURITY FOR PRESIDENTIAL NOMINATING CONVENTIONS.

Page 2, line 3, strike "(b)" and insert "(a)".

Page 2, line 7, strike "such Code" and insert "the Internal Revenue Code of 1986".

Page 2, strike line 14 and all that follows through line 21 and insert the following:

(B) TRANSFER OF FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new subsection:

"(d) TRANSFER OF FUNDS FOR SECURITY FOR PRESIDENTIAL NOMINATING CONVENTIONS.—After the date of the enactment of this subsection, the Secretary shall transfer all amounts in the fund the Office of Justice Programs for local law enforcement for costs of providing security at Presidential nominating conventions."

Page 3, line 5, strike "(c)" and insert "(b)".

Page 3, after line 11, add the following:

(c) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to the Presidential Election Campaign Fund shall, with respect to any amounts in such Fund after the date of the enactment of this Act, be deemed to be a reference to Presidential Nominating Convention Security Fund.

H.R. 359

OFFERED BY: MS. TSONGAS

AMENDMENT No. 4: Add at the end the following:

SEC. 2. PROHIBITION ON THE USE OF FEDERAL FUNDS FOR PRESIDENTIAL CAMPAIGN AND LOBBYING ACTIVITIES.

With respect to Federal funds received by an entity, other than a natural person, it shall be unlawful for such entity to—

(1) use such funds to advocate the election or defeat of a Presidential candidate;

(2) use such funds to engage in any lobbying activity; or

(3) donate such funds to any entity that advocates for the election or defeat of a Presidential candidate or engages in lobbying activities.

H.R. 359

OFFERED BY: MR. POLIS

AMENDMENT No. 5: Strike all after the enacting clause and insert the following:

SECTION 1. VOLUNTARY FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) IN GENERAL.—Section 6096 of the Internal Revenue Code of 1986 is amended to read as follows:

"SEC. 6096. VOLUNTARY DESIGNATION BY INDIVIDUALS.

"(a) GENERAL RULE.—Every taxpayer who makes a return of the tax imposed by chapter 1 for any taxable year may designate an amount shall be paid over to the Presidential Election Campaign Fund in accordance with the provisions of section 9006(a). The amount designated under the preceding sentence—

"(1) may not be less than \$1, and

"(2) shall be in addition to any payment of tax for the taxable year.

"(b) MANNER AND TIME OF DESIGNATION.—Any designation under subsection (a) for any taxable year—

"(1) shall be made at the time of filing the return of the tax imposed by chapter 1 for

such taxable year and in such manner as the Secretary may by regulation prescribe, except that such designation shall be made either on the first page of the return or on the page bearing the taxpayer's signature, and

"(2) shall be accompanied by a payment of the amount so designated.

"(c) TREATMENT OF AMOUNTS DESIGNATED.—For purposes of this title, the amount designated by any taxpayer under subsection (a) shall be treated as a contribution made by such taxpayer to the United States on the last date prescribed for filing the return of tax imposed by chapter 1 (determined without regard to extensions) or, if later, the date the return is filed."

(b) CLERICAL AMENDMENT.—The item relating to section 6096 in the table of sections for part VIII of subchapter A of chapter 61 of such Code is amended to read as follows:

"Sec. 6096. Voluntary designation by individuals."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

H.R. 359

OFFERED BY: MS. MOORE

AMENDMENT No. 6: Strike all after the enacting clause and insert the following:

SECTION 1. TAXPAYER OPTION TO CONTRIBUTE OWN FUNDS TO PRESIDENTIAL ELECTION CAMPAIGNS.

(a) IN GENERAL.—Section 6096 of the Internal Revenue Code of 1986 is amended to read as follows:

"SEC. 6096. CONTRIBUTIONS OF OWN FUNDS BY INDIVIDUALS.

"(a) GENERAL RULE.—Every taxpayer who makes a return of the tax imposed by chapter 1 for any taxable year may designate that \$3 (\$6 in the case of a joint return) in addition to any payment of tax for such taxable year shall be paid over to the Presidential Election Campaign Fund in accordance with the provisions of section 9006(a).

"(b) MANNER AND TIME OF DESIGNATION.—Any designation under subsection (a) for any taxable year—

"(1) shall be made at the time of filing the return of the tax imposed by chapter 1 for such taxable year and in such manner as the Secretary may by regulation prescribe, except that such designation shall be made either on the first page of the return or on the page bearing the taxpayer's signature, and

"(2) shall be accompanied by a payment of the amount so designated."

(b) CLERICAL AMENDMENT.—The item relating to section 6096 in the table of sections for part VIII of subchapter A of chapter 61 of such Code is amended to read as follows:

"Sec. 6096. Contributions of own funds by individuals."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.