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No. 181

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 29, 2011.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

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

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Gracious God, we give You thanks for giving us another day. You have blessed us with all good gifts, and this past week, with thankful hearts we gathered with family and loved ones throughout this great land to celebrate our blessings together.

Bless the Members of the people's House, who have been entrusted with the privilege to serve our Nation and all Americans in their need. Grant them to work together in respect and affection and to be faithful in the responsibilities they have been given.

As the end of the first session approaches and much is left to be done, bestow upon them the gifts of wisdom and discernment that in their words and actions they will do justice, love with mercy, and walk humbly with You.

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

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

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

Mr. KUCINICH. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

Mr. KUCINICH. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. KUCINICH 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.

COMING TO AMERICA

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

Mr. POE of Texas. Mr. Speaker, those who say that the border is secure and the violence is contained in Mexico are living in a blissful state of ignorance. Case in point: Last week, according to the Houston Chronicle, three SUVs carrying Mexican Zeta cartel soldiers

tried to hijack a tractor truck rig loaded with drugs on a road in north Houston. They unleashed blazing gunfire. A shootout occurred with police who were tracking the truck from Mexico. The truck driver was killed and a peace officer was wounded. Three Mexican nationals and another of unknown citizenship were charged with capital murder.

The local head of the DEA, Javier Pena, said, "we are not going to tolerate these thugs using their weapons like the Wild Wild West." Sadly, this brazen case of violence is a familiar scene on the streets of Mexico. And now it has become a reality in the United States.

Until Washington realizes what happens in Mexico doesn't stay in Mexico, more cartel shoot-outs on American streets are coming our way.

And that's just the way it is.

THE NATIONAL EMERGENCY EMPLOYMENT DEFENSE ACT

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

Mr. KUCINICH. While Congress is in a deadlock over tax and spending cuts, we learn the Feds secretly gave Wall Street banks over \$7.7 trillion. Where did the Fed get that 7.7 trillion? They created most of it from nothing. While our government slid into massive debt, the Fed picked winners and losers and secretly helped big banks tally record profits.

Remember the great debate we had here over \$700 billion in TARP funds? There was no debate over the \$7.7 trillion the Fed gave the banks. Did Congress have a clue? There's another game going on way over our heads, and our constituents are struggling while the banks, with the help of the Fed, have captured control of our government. Now the rating services are threatening us that if we don't come up

□ 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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with a deal, they'll downgrade U.S. debt.

Could the threat to our national sovereignty be any clearer? It's time for Congress to listen to the wisdom of our Founders and reclaim its constitutional primacy over monetary policy. There is a way. It is called the NEED Act. The Fed takes our freedom and gives it to the banks. Let's take our freedom back from the Fed.

SENATE NEEDS TO ACT AFTER SUPERCOMMITTEE FAILURE

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

Mr. WILSON of South Carolina. Mr. Speaker, last Monday, the Joint Select Committee on Deficit Reduction announced that the bipartisan group had failed to reach an agreement. In an op-ed to *The Wall Street Journal*, Congressman JEB HENSARLING, cochair of the supercommittee, stated that the group "missed a historic opportunity to lift the burden of debt and help spur economic growth and job creation."

Last week, I attended a town hall meeting in Forest Acres, South Carolina, hosted by Mayor Frank Brunson, where we discussed ways to promote small businesses and encourage job growth within the private sector. The message from the constituents is very clear: Congress must reduce Washington's out-of-control spending before it's too late.

As Congress returns from the Thanksgiving Day recess, I encourage our colleagues in the Senate to begin focusing on job creation by considering any of the 20 jobs bills the House has passed with bipartisan support this year.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

FAILURE OF THE SELECT COMMITTEE

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

Mr. BURGESS. Mr. Speaker, it was about a week ago that the Joint Select Committee announced that they were unable to reach an agreement in finding \$1.2 trillion in cuts before their deadline. Now, could they have done this without really breaking a sweat? And the answer is yes, they could have. The entire target for which they were reaching, the \$1.2 trillion to \$1.5 trillion, could have been cut with a single act: repealing the Affordable Care Act.

One point five trillion dollars in new spending that this country cannot afford is contained within the confines of the Affordable Care Act. Now, look, Washington needs to quit pointing fingers and get back to work if we expect to put America back on a path to prosperity. American families are making

cuts at home, and Washington should do the same thing. Families do not have the luxury of missing their deadlines, and neither should Washington.

Americans must reduce our deficit, and we need to put people back to work. The House has passed more than 25 bills that would affect employment. Twenty of these House-passed jobs bills are stalled in the Senate. You can find out more about them going to jobs.gop.gov. Let's get people back to work and focus on ways to reduce the deficit. That means creating more taxpayers, not more taxes.

BOLINGBROOK HIGH SCHOOL FOOTBALL CHAMPIONSHIP

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

Mrs. BIGGERT. Mr. Speaker, I rise today to congratulate the Illinois Bolingbrook High School football team on winning the Class 8A State Championship on November 25.

Coach John Ivlow led the team to a record-breaking season of 13 wins and 1 loss. This accomplishment by the Raiders marks the first State football championship for Bolingbrook High School. Despite the absence of their star linebacker, the Raiders overcame five turnovers and won the championship game by a score of 21-17 against the top-rated Loyola Academy.

Each player this season demonstrated a tremendous level of demonstration and hard work, including seniors Antonio Morrison and Robbie Bain. Other stars of the game included junior Aaron Bailey, who scored the game-winning touchdown, and senior Diaron Rhodes, who sealed the game with an interception.

Mr. Speaker, our community is very proud of these accomplished young athletes. Once again, I would like to congratulate the Bolingbrook High School Raiders on their win and wish them continued success in all of their future endeavors.

□ 1410

IT'S TIME TO GET SERIOUS ABOUT WASHINGTON'S SPENDING AD- DICTION

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

Ms. FOXX. Mr. Speaker, the so-called supercommittee announced last week that it was unable to come up with a plan to reduce the deficit by \$1.2 trillion over the course of 10 years. That is a sad commentary on Washington, DC's addiction to overspending. After all, \$1.2 trillion is less than 1 year's worth of overspending at the going rate.

It's time to get serious. Just consider the mess in Europe. The eurozone's bailout fund is struggling to keep debtors or nations like Greece, Ireland, and Portugal afloat, while Italy also tee-

ters on the brink of insolvency. Europe's sovereign debt crisis is not an abstract economics lesson; it is the painful reckoning after years of the debt-financed government profligacy.

What should unnerve us is that some of these nations being battered by the consequences of high debt level have debt-to-GDP ratios that are close to our own. If Congress doesn't get serious about reducing spending and ending the Federal debt addiction, we're going to find ourselves in the same boat as our friends in the eurozone.

RECOGNIZING NATIONAL ADOPTION MONTH

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

Mr. HULTGREN. Mr. Speaker, this Thanksgiving many of us had the opportunity to spend time with our families and loved ones, so I think it's fitting that November is National Adoption Month. I also think it's appropriate to take time during this holiday season to recognize the tens of thousands of families nationwide who are foster families.

Unfortunately, in my home State of Illinois, a potentially tragic situation has unfolded. Faith-based adoption agencies across the State are being shut down because of their belief in traditional marriage. The Illinois Department of Child and Family Services has declined to renew contracts with several organizations. They have decimated these agencies, some of whose work was 70 percent foster care. It's an unfortunate situation, and I'm watching it closely.

But today I want to say publicly that, as we fight to curb teenage pregnancy and abortion, the right to adoption is one thing we really must defend.

OBAMACARE JOBS

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

Mr. PITTS. Mr. Speaker, let's be perfectly clear: Our tax policy affects job growth.

When the Federal Government raises taxes, raises rates, or creates new taxes, businesses make decisions regarding their workforce. When the government takes more, businesses have to make due with less.

All told, last year's health care reform law will raise taxes by \$800 billion over the next 10 years. One of the new taxes is a 2.3 percent tax on medical devices.

Michigan-based manufacturer Stryker recently announced that they will reduce their work force by 5 percent so that they will be prepared to pay this new tax beginning in 2013. Stryker is just one of the first to announce reductions in the layoffs.

In the next year, medical device companies will be faced with difficult decisions about where they will cut in

order to pay this massive new tax bill. Many will have no choice but to reduce the workforce.

We don't need a health reform law that destroys jobs; we need one that encourages the creation of good jobs with good benefits. We must repeal the so-called Affordable Care Act.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 13 minutes p.m.), the House stood in recess until approximately 4 p.m.

□ 1605

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 4 o'clock and 5 minutes p.m.

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 after 6:30 p.m. today.

FAIRNESS FOR HIGH-SKILLED IMMIGRANTS ACT OF 2011

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3012) to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 3012

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fairness for High-Skilled Immigrants Act of 2011".

SEC. 2. NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.

(a) *IN GENERAL.*—Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)) is amended—

(1) *in the paragraph heading, by striking "AND EMPLOYMENT-BASED";*

(2) *by striking "(3), (4), and (5)," and inserting "(3) and (4),";*

(3) *by striking "subsections (a) and (b) of section 203" and inserting "section 203(a)";*

(4) *by striking "7" and inserting "15";* and

(5) *by striking "such subsections" and inserting "such section".*

(b) *CONFORMING AMENDMENTS.*—Section 202 of the Immigration and Nationality Act (8 U.S.C. 1152) is amended—

(1) *in subsection (a)(3), by striking "both subsections (a) and (b) of section 203" and inserting "section 203(a)";*

(2) *by striking subsection (a)(5); and*

(3) *by amending subsection (e) to read as follows:*

"(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If it is determined that the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, in determining the allotment of immigrant visa numbers to natives under section 203(a), visa numbers with respect to natives of that state or area shall be allocated (to the extent practicable and otherwise consistent with this section and section 203) in a manner so that, except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(a)."

(c) *COUNTRY-SPECIFIC OFFSET.*—Section 2 of the Chinese Student Protection Act of 1992 (8 U.S.C. 1255 note) is amended—

(1) *in subsection (a), by striking "subsection (e)" and inserting "subsection (d)";* and

(2) *by striking subsection (d) and redesignating subsection (e) as subsection (d).*

(d) *EFFECTIVE DATE.*—The amendments made by this section shall take effect as if enacted on September 30, 2011, and shall apply to fiscal years beginning with fiscal year 2012.

(e) *TRANSITION RULES FOR EMPLOYMENT-BASED IMMIGRANTS.*—

(1) *IN GENERAL.*—Subject to the succeeding paragraphs of this subsection and notwithstanding title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.), the following rules shall apply:

(A) *For fiscal year 2012, 15 percent of the immigrant visas made available under each of paragraphs (2) and (3) of section 203(b) of such Act (8 U.S.C. 1153(b)) shall be allotted to immigrants who are natives of a foreign state or dependent area that was not one of the two states with the largest aggregate numbers of natives obtaining immigrant visas during fiscal year 2010 under such paragraphs.*

(B) *For fiscal year 2013, 10 percent of the immigrant visas made available under each of such paragraphs shall be allotted to immigrants who are natives of a foreign state or dependent area that was not one of the two states with the largest aggregate numbers of natives obtaining immigrant visas during fiscal year 2011 under such paragraphs.*

(C) *For fiscal year 2014, 10 percent of the immigrant visas made available under each of such paragraphs shall be allotted to immigrants who are natives of a foreign state or dependent area that was not one of the two states with the largest aggregate numbers of natives obtaining immigrant visas during fiscal year 2012 under such paragraphs.*

(2) *PER-COUNTRY LEVELS.*—

(A) *RESERVED VISAS.*—With respect to the visas reserved under each of subparagraphs (A) through (C) of paragraph (1), the number of such visas made available to natives of any single foreign state or dependent area in the appropriate fiscal year may not exceed 25 percent (in the case of a single foreign state) or 2 percent (in the case of a dependent area) of the total number of such visas.

(B) *UNRESERVED VISAS.*—With respect to the immigrant visas made available under each of paragraphs (2) and (3) of section 203(b) of such Act (8 U.S.C. 1153(b)) and not reserved under paragraph (1), for each of fiscal years 2012, 2013, and 2014, not more than 85 percent shall be allotted to immigrants who are natives of any single foreign state.

(3) *SPECIAL RULE TO PREVENT UNUSED VISAS.*—If, with respect to fiscal year 2012, 2013, or 2014,

the operation of paragraphs (1) and (2) of this subsection would prevent the total number of immigrant visas made available under paragraph (2) or (3) of section 203(b) of such Act (8 U.S.C. 1153(b)) from being issued, such visas may be issued during the remainder of such fiscal year without regard to paragraphs (1) and (2) of this subsection.

(4) *RULES FOR CHARGEABILITY.*—Section 202(b) of such Act (8 U.S.C. 1152(b)) shall apply in determining the foreign state to which an alien is chargeable for purposes of this subsection.

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

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3012, as amended, currently under consideration.

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

There was no objection.

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

I rise in support of H.R. 3012, the Fairness for High-Skilled Immigrants Act. I would first like to thank Chairman SMITH for his work and diligence and commitment on this issue. We wouldn't be here today without his efforts and his commitment to this. I also want to thank Ranking Member CONYERS and Immigration Subcommittee Ranking Member ZOE LOFGREN. She cares deeply about this and has also been very instrumental in putting this bill together to make it something that we hope will pass today, and I thank her for her work on the Judiciary Committee.

The Immigration and Nationality Act generally provides that the total number of employment-based immigrant visas made available to natives of any single foreign country in a year cannot exceed 7 percent of the total number of such visas made available in that year.

The bill completely eliminates the per-country caps for employment-based visas and raises the per-country cap from 7 percent to 15 percent for family-based visas—all without adding even a single additional visa. In other words, there is no net increase in the total number of visas. What I want Members on both sides of the aisle to understand and recognize is that there is not a net increase in the total number of visas; but it does make important adjustments that will allow us to better service and fix legal immigration, which is one of the commitments that I have in working in this Congress.

While per-country limits make some limited sense in the area of family immigration, they make no sense in the context of employment-based immigration. American companies treat all highly skilled immigrants equally regardless of where they come from. Our

immigration policy should do the same. H.R. 3012 creates a fair and equitable, first-come-first-served system. Under this system, U.S. companies will be able to focus on what they do best: hiring smart people to create products, services, and jobs for Americans.

Per-country caps are the antithesis of the free market. Companies recruit employees based on their talent, not their country of origin. Hiring and keeping the best people, whether from America or around the world, is the primary objective of American companies. This bill will help ensure that employers meet that objective.

Fears that these changes will lead to an influx of cheap labor are totally unfounded. Two concerns in particular rely on the false assumption that the removal of these caps will have a negative impact on American workers. The first concern applies to the removal of the per-country cap on employment-based visas. Some people argue this provision will displace American workers with cheap foreign labor, which will not and cannot happen. Current law prohibits U.S. employers from hiring foreign workers to fill these jobs unless there are insufficient U.S. workers who are able, willing, qualified, and available. This bill does not change that requirement, but it does encourage high-skilled immigrants who are educated in the U.S. to stay and help build our economy rather than using the skills they learned here to aid our competitor nations.

□ 1610

The second criticism I hear applies to the provision that raises the family-based per-country cap from 7 percent to 15 percent. The fear seems to be that this change will result in an increase of unskilled foreign immigrants who will be a burden to our system. To the contrary, those who benefit most under the family cap adjustment are the law-abiding workers who have demonstrated their respect for the rule of law by waiting in line for many years, if not decades. An unmarried minor child in Mexico, for example, who is the son or daughter of U.S. citizens and will receive a green card in November of this year has been waiting in line since April, 1993. That's an 18½-year wait. Rewarding those who are patiently waiting to come to this country legally will incentivize more people to enter our country legally through the means that we have set forth.

This bill does not add a single new green card to the system. There's no trick or compromise involved. We are sending a message we want people to come to America legally, and we're sending that message without massive comprehensive reforms. This is simple, straightforward, and consistent with where I think most Members from both sides of the aisle stand on the issue of immigration.

This legislation is pro-growth, pro-jobs, and pro-family. I would like to thank Compete America and Immigra-

tion Voice for their tireless efforts in helping to get this bill passed, and again thank Chairman SMITH, Ranking Member CONYERS, and Ms. LOFGREN for their work in helping to bring this bill forward.

I reserve the balance of my time.

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

I also rise in support of this bipartisan proposal that provides two small, technical fixes to our country's immigration laws.

The bill removes the so-called "per-country" limits from applying to employment-based green cards. Current immigration law provides 140,000 green cards annually to employment-based immigrants. The law, however, prevents any one country from receiving more than 7 percent—or 9,800—of the total 140,000 visas. Because of this per-country limit, a country like India, with a population of 1.2 billion, is limited to the same number of visas as a country like Iceland, with a population of 300,000 and a lot of ice. This makes no sense and has resulted in decades-long backlogs for nationals from India, as well as China, and it makes it impossible for certain U.S. employers to attract and retain certain essential workers they need to help keep America competitive. Indeed, from India and China there are many people trained in STEM areas that we need in our country to keep competitive.

Eliminating the per-country limit for employment-based immigrants would level the playing field and treat everyone on a first-come, first-served basis. Because the bill does not provide additional green cards, it does not address the current overall backlogs. And that's unfortunate. But the bill does treat people and those backlogs more equitably. And to make sure that there are no unintended consequences, the elimination of the per-country limit is phased in slowly over 3 years.

The bill also raises the per-country limit for family-based immigrants from 7 percent to 15 percent. This would have a similar effect of making the treatment of such immigrants more equitable. These fixes are small, but they mean a great deal to the people they will help.

H.R. 3012 is supported by quite a few business groups, including the United States Chamber of Commerce, Compete America, and the American Council on International Personnel. It is supported by advocates for American and immigrant families, including the Asian American Justice Center and the National Immigration Law Center.

I, like my colleague on the other side, want to thank the people who are above me on the committee level, the chairman in particular, Chairman SMITH; and the ranking member of our subcommittee, ZOE LOFGREN, who has worked with Congressman CHAFFETZ, who has worked so hard on this bill, as has Chairman SMITH, to get this bipartisan bill through the committee and to the floor.

It's important that we do get bipartisan bills through, and because of our chairman, we have that opportunity on occasion to do such a thing. I urge my colleagues to support this important legislation, and I reserve the balance of my time.

Mr. CHAFFETZ. I yield such time as he may consume to the chairman of our full committee, Mr. LAMAR SMITH of Texas.

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Utah for yielding me time, and I also want to thank him for his sponsorship of this legislation.

Mr. Speaker, our immigration system should be designed to benefit Americans and our economy. And this bill introduced by Congressman CHAFFETZ does just that, and I'm happy to be a cosponsor.

The Immigration and Nationality Act generally provides that the total number of family-sponsored and employment-based green cards available to natives of any one country cannot exceed 7 percent of the total number of green cards available each year. Because of these annual numerical caps on green cards and the fact that some countries have more of the skilled workers that American employers want, natives of these countries must often wait years longer for green cards than natives of other countries.

For foreign professionals with advanced degrees and aliens of exceptional ability, green cards are now immediately available to approved applicants from most countries. However, because employers seek so many workers from India and China, the per-country caps result in green cards only being available to these individuals who first applied before November 2007, 4 years ago.

For foreign professionals with bachelor's degrees and skilled workers, green cards are now available to applicants from most countries who first applied on or before December 2005. However, for the same reason, because employers seek so many workers from India and China, the per-country cap results in green cards only being available to those from China who first applied before August 2004 and for those from India before July 2002.

Similar per-country caps exist in the family-sponsored green card categories. That's why natives of most countries who are siblings of U.S. citizens will get green cards only if they first applied before June 2000, 11 years ago, and the siblings from the Philippines have had to wait since 1988.

H.R. 3012, the Fairness for High-Skilled Immigrants Act, eliminates the employment-based per-country cap entirely by fiscal year 2015. It also raises the family-sponsored per-country cap from 7 percent to 15 percent. This legislation makes sense. Why should American employers who seek green cards for skilled foreign workers have to wait longer just because the workers are from India or China? American business employers have already proved to

the U.S. Government that they need these workers, that qualified workers are not available, and that American workers will not be harmed.

It makes sense to repeal the employment-based per-country caps. So I urge my colleagues to support H.R. 3012. Again, I want to thank the gentleman from Utah for sponsoring this legislation.

Mr. COHEN. Mr. Speaker, I yield 2 minutes and 56 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I will try to take full advantage of those extra 56 seconds.

Mr. Speaker, I'm a cosponsor of this bipartisan legislation, and I want to speak on its behalf.

I heard about a conversation that Bill Clinton had with Steve Jobs. Apple Computer has about 200,000 employees outside of the borders of the United States, I understand. I believe it's Walter Isaacson in his biography of Steve Jobs who talks about a conversation he had with President Clinton, where the former President asked, What would it take to get all these employees back into the United States? Mr. Jobs said, You give me 30,000 highly skilled workers in the United States and we'll bring those jobs back.

And that's what this is about. It's having access within the United States to the most highly skilled engineers, scientists, and mathematicians, who will in turn generate the kind of economic activity that we all want in terms of job creation and national economic growth.

In the northern Virginia area, we're very fortunate to have a strong high-tech sector.

□ 1620

But for that tech sector to continue to grow and expand, we have got to have a workforce not only adequate in terms of quantity, but particularly in terms of quality. We know how important technology firms are going to be in the global economy of the 21st century; but I don't think we fully take into account how important it is to continue to attract the best and brightest from around the world who, in fact, do want to go to graduate school here and do want to continue residing in the United States and to work here applying their talents and skills.

Now, under current law, employment-based and family-sponsored immigrant visas for the natives of any particular country can't exceed 7 percent of the total of those visas made available that year. That cap hinders the ability of high-tech firms in the United States to hire the top talent from countries like India and China who have a disproportionately large number of individuals with the education and the experience that are sought after by many of these technology companies. It doesn't make sense to continue enforcing outdated, arbitrary caps that make it harder for companies to hire the employees that they need and that we need to grow and prosper within the United States.

This legislation eliminates per-country limits on the allotment of high-skilled green cards without adding a single additional green card to the system. It also increases per-country limits from 7 percent to 15 percent—more than double—in the family-based immigration system, helping reduce substantial backlogs in the family-based system as well. It doesn't add any additional visas but, rather, it more rationally distributes the allotment already available.

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

Mr. COHEN. I yield the gentleman as much time as he may consume.

Mr. MORAN. I will try to be judicious in using that time. I very much thank my good friend from Memphis for yielding me the time.

This legislation is modest in scope, but it is very important because it puts this country in the right direction of economic growth.

Now, I want to say I wish we would set our ambitions higher in the whole area of immigration. Our immigration system is broken; it needs a fundamental overhaul. We ought to have comprehensive immigration reform that makes strategic investments in border security, improves workplace verification of employees, and establishes a path to legalization for undocumented immigrants currently in the country. But maybe we can use this kind of a debate to reflect upon the much broader benefits to our country that would accrue by improving our immigration system and continuing to pursue a comprehensive solution.

But regardless of whether we can get the more ambitious legislation, the bill before us today fixes a real problem that today harms our Nation's competitiveness. That's why it has bipartisan support; that's why it's the right thing to do; and I think it's terribly important for the area of our economy which is going to produce the most jobs in the future, the most competitive jobs, with the highest profit margins that we can then sell to the rest of the world.

So, Mr. Speaker, I congratulate the sponsors of this legislation and would hope that we would get unanimous support for it.

Mr. COHEN. I thank the gentleman from Virginia. I appreciate his statement, and I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers.

I just want to, again, thank Chairman SMITH. I also want to recognize the good work and the working relationship that I have with Ms. LOFGREN of California and the gentleman from Illinois, LUIS GUTIERREZ, who was also very instrumental. I think it does demonstrate that we can work in a bipartisan way to pass important legislation that really will have an effect on businesses, jobs, our economy, and a whole lot of families that are deserving.

I urge support of H.R. 3012, and I would yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, this country has needed to eliminate the "per country" limits for employment-based immigrants, and increase those for family-based immigrants, for a very long time.

Although these are relatively small fixes, and a great deal more needs to be done, these fixes represent a balanced approach to addressing some of the long-standing problems in our broken immigration system. And they are the right thing to do.

We all know that our immigration system is severely broken, and it has been broken for decades. At the heart of this broken system are the outdated employment- and family-based immigration systems, which suffer under decades-long backlogs. In combination with the per country limits, these backlogs keep nuclear families apart for decades, while preventing U.S. employers from accessing and retaining the employees they need to stay competitive.

H.R. 3012 begins to address these problems by eliminating the employment-based per-country limits and adjusting the family-based per-country limits to make the system fairer for people caught in the backlogs. This is a good step that will lead to more equitable outcomes.

But I must note that until we do something about the backlogs themselves, we will continue to have a dysfunctional system. This bill will help certain Indian nationals, who now face a wait of 70 years to get green cards; But because the bill does not address the scope of the backlogs, it will increase the wait time for many others. Under this bill, everyone seeking an employment-based third preference green card will have to wait 12 years. That may be more equitable, but it doesn't fix the underlying problem.

In any event, the bill makes the system fairer, and that is why I support it. I just hope that we can come together, as we have done today, to fix other areas of our immigration law.

Hopefully, this type of balanced legislation, in combination with true cooperation across the aisle, can serve as a model for addressing other areas of our broken immigration system. This country desperately needs that we try.

I thank the author of the bill, JASON CHAFFETZ, as well as Judiciary Committee Chairman LAMAR SMITH and Ranking Member JOHN CONYERS, for working with me on this bill and addressing some of my concerns.

I urge my colleagues to support the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 3012, as amended.

The question was taken.

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

Mr. COHEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

NATIONAL GUARD AND RESERVIST DEBT RELIEF EXTENSION ACT OF 2011

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2192) to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2192

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Guard and Reservist Debt Relief Extension Act of 2011”.

SEC. 2. NATIONAL GUARD AND RESERVISTS DEBT RELIEF AMENDMENT.

Section 4(b) of the National Guard and Reservists Debt Relief Act of 2008 (Public Law 110-438; 122 Stat. 5000) is amended by striking “3-year” and inserting “7-year”.

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

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. CHAFFETZ. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 2192 currently under consideration.

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

There was no objection.

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

Before us today is an important bill sponsored by my colleagues from Tennessee (Mr. COHEN) and Virginia (Mr. FORBES).

On the 10th anniversary of September 11, 2001, Americans paused to honor the memory of the innocent victims who perished that tragic day. We also were reminded of the bravery of American military personnel and thanked military families for their sacrifice. The last 10 years have been trying on our uniformed men and women, including our military reservists and members of the National Guard. About 1 million reservists and guardsmen have been deployed to Iraq or Afghanistan over the past 10 years. For that, we are very, very grateful.

The Federal Government has a responsibility to ease the transition of reservists and guardsmen back into civilian life upon their return home from war. Many of them return home with physical handicaps. For many others, psychological challenges face them and their families. Some of these veterans

and their families have suffered financial hardships, and frequently bankruptcy is, unfortunately, the last resort.

In a chapter 7 bankruptcy, a debtor surrenders virtually all their assets to the bankruptcy trustee and receives a discharge at the end of the short case. In contrast, in a chapter 13 case, the debtor retains their assets but must commit their disposable income over the next 3 to 5 years to the repayment of their creditors before receiving a discharge from their debts.

In 2005, Congress enacted the Bankruptcy Abuse Prevention and Consumer Protection Act, often referred to as BAPCPA. A significant policy goal of that act was to combat a perceived abuse of chapter 7 bankruptcy. In BAPCPA, Congress inserted into the Bankruptcy Code a way to determine whether a debtor has a disposable income that can be used to pay their debts. This is commonly referred to as the means test. If a debtor is able to pay some portion of their debts from their disposable monthly income, then their filing of a chapter 7 bankruptcy is presumed to be an abuse of the bankruptcy system. The debtor remains eligible for relief under other bankruptcy chapters, including chapter 13, where they can restructure how they pay their debts from their disposable income.

In 2008, Congress recognized that military reservists and National Guardsmen sometimes suffer unique financial difficulty resulting from their military service, so we enacted the National Guard and Reservist Debt Relief Act, which President Bush signed into law in October of 2008. That act allows reservists and National Guardsmen to bypass the means test, making it easier for them to file a chapter 7 case. When they return from the front lines of war, they have endured enough. They do not need to also suffer a presumption of bankruptcy abuse if they are in need of a quick, fresh start in bankruptcy. That act expires in December of this year. H.R. 2192, which Mr. COHEN and Mr. FORBES have introduced, extends the sunset date of the act that was passed in 2008.

America is still a nation at war, and we continue to call on our guardsmen and reservists to perform heroic tasks. During these trying times, Congress should not make life more difficult for these brave men and women by allowing these means test exemptions to lapse. The bill extends the sunset date by 4 years, at which time Congress will have the opportunity to reexamine whether this means test carveout has served its purpose and whether it is needed any longer.

I want to thank, again, Mr. COHEN and Mr. FORBES for introducing this important and timely legislation. I encourage my colleagues to vote “yes” on the bill.

I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield myself as much time as I may consume.

I rise in strong support of H.R. 2192, the National Guard and Reservist Debt Relief Extension Act of 2011. This bipartisan legislation, which I introduced in June of this year with Mr. FORBES, Mr. ROHRBACHER and others, ensures that certain members of the National Guard and Reserves who fall on hard economic times after their service to this country will continue to obtain bankruptcy relief without having to fill out the substantial paperwork required by the so-called means test under chapter 7 of the Bankruptcy Code.

□ 1630

H.R. 2192 simply extends the existing means test exception, which will expire in a few weeks if Congress fails to act, and act we should for our reservists and National Guardspeople who have put themselves in the line of fire for our country and our safeties and liberties.

Under the means test, a chapter 7 bankruptcy case is presumed to be an abuse of the bankruptcy process if it appears that the debtor has income in excess of certain thresholds.

The National Guard and Reservist Debt Relief Act of 2008 created an exception to the means test’s presumption for members of the National Guard and Reserves who, after September 11, 2001, served on active duty or in a homeland defense activity for at least 90 days. The exception remains available for 540 days after the servicemember leaves the military.

The National Guard and Reservist Debt Relief Extension Act of 2011 would simply extend that exception until December 2015. This modest, but important exception to the means test allows qualifying members of the National Guard and Reserves to obtain chapter 7 bankruptcy relief without fulfilling the means test paperwork requirements.

Since September 11, 2001, more than 815,000 members of the National Guard and Reserves have been deployed to Iraq and Afghanistan, with many having served multiple tours of duty.

As of August of this year, members of the National Guard and Reserves made up 43 percent of U.S. forces in Iraq and Afghanistan and represent more than 20 percent of those killed in action and 20 percent of those wounded in action. Many of these citizen warriors have been asked to disrupt their civilian lives with little notice to serve their country in active war zones, and like other veterans returning from war zones, they often have difficulty adjusting to civilian life.

It is estimated that approximately 40 percent of all Guard members will experience some sort of financial hardship and that 26 percent of Guard members had money problems related to their deployment into war zones.

H.R. 2192 is a meaningful way for our Nation to recognize the tremendous sacrifice made by National Guard and Reserve members who have served on active duty or homeland defense since

September 11, 2001, and may be suffering financial hardship. This bipartisan measure is in the tradition of the GI Bill, the Servicemembers Civil Relief Act, and numerous other provisions of law enacted to benefit military veterans.

I thank Representatives FORBES and ROHRBACHER, two members of the Republican Party who worked with me on this and helped cosponsor it, and Representatives SCHAKOWSKY and NADLER of my party for cosponsoring H.R. 2192. I also thank the Judiciary Chairman, Mr. SMITH, the Ranking Member, Mr. CONYERS, and the Subcommittee on Courts, Commercial and Administrative Law chairman, the distinguished Mr. HOWARD COBLE, for their assistance in moving this bill.

This bill does indeed help Reservists and National Guardsmen in a special way. But it also shows that the previous bill that Mr. CHAFFETZ sponsored shows that we in the Judiciary Committee can work in a bipartisan manner, and that Congress can work, and that we should be at least in double digits.

I urge my colleagues to support H.R. 2192, and I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers at this time. I would encourage my colleagues to vote for this. It's a good day when we can come to the floor of the House and vote in support of our Guardsmen and those serving in our military.

I appreciate, again, the good bipartisan support and work of Mr. COHEN, Mr. FORBES, and others.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 2192.

The question was taken.

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

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

The yeas and nays were ordered.

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

RISK-BASED SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES ACT

Mr. CRAVAACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1801) to amend title 49, United States Code, to provide for expedited security screenings for members of the Armed Forces, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1801

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Risk-Based Security Screening for Members of the Armed Forces Act".

SEC. 2. SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Section 44903 of title 49, United States Code, is amended by adding at the end the following:

"(m) SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES.—

"(1) IN GENERAL.—The Assistant Secretary shall develop and implement a plan to provide expedited security screening services for a member of the Armed Forces, and any accompanying family member, when the member of the Armed Forces presents documentation indicating official orders while in uniform through a primary airport (as defined by section 47102 of this title).

"(2) PROTOCOLS.—In developing the plan, the Assistant Secretary shall consider—

"(A) leveraging existing security screening models used by airports and air carriers to reduce passenger wait times before entering a security screening checkpoint;

"(B) establishing standard guidelines for the screening of military uniform items, including combat boots; and

"(C) incorporating any new screening protocols into an existing trusted passenger program, as established pursuant to section 109(a)(3) of the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 613; 49 U.S.C. 114 note), or into the development of any new credential or system that incorporates biometric technology and other applicable technologies to verify the identity of individuals traveling in air transportation.

"(3) REPORT TO CONGRESS.—The Assistant Secretary shall submit to the appropriate committees of Congress a report on the implementation of the plan."

(b) EFFECTIVE DATE.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary shall implement the plan required by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. CRAVAACK) and the gentlewoman from California (Ms. RICHARDSON) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

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

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

There was no objection.

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

The bill under consideration today, H.R. 1801, the Risk-Based Security Screening for Members of the Armed Forces Act, is a bipartisan effort which directs TSA to establish an expedited screening process for members of the Armed Forces and their families when they are traveling on orders throughout our Nation's airports. Currently, military servicemembers traveling on orders must remove their Class A uniform blouse jackets, metal belt buckles and insignia devices before proceeding through security checkpoints.

While it is important every passenger undergo a security screening before boarding a plane, it makes absolutely

no sense to require American servicemembers to take off their jackets and medals for TSA screening before boarding their flights home. Unless intelligence identifies a specific threat, we should honor our servicemembers' willingness to sacrifice themselves for our country by treating them as patriots, not operating under the assumption that everyone intends to harm our country's transportation system.

Importantly, this commonsense bill will streamline the screening process for our servicemembers and lead to decreased checkpoint wait times for other American travelers. Moreover, this legislation will complement TSA Administrator Pistole's move toward a risk-based checkpoint screening system for passengers and will prioritize members of the Armed Forces for inclusion into that process.

I am pleased to report that since H.R. 1801 was passed unanimously with bipartisan support in committee, TSA has now begun testing a military ID reading pilot program for U.S. armed servicemembers at Monterey Peninsula Airport in California. While this bill will not let a member of the Armed Forces bypass security, it will require TSA to develop an expedited screening process designed to reduce our servicemember's checkpoint waiting times and focus more resources on unknown and high-risk passengers.

To be clear, this program does not impact the TSA's existing layered aviation security approach that includes Federal air marshals—the last line of defense—Federal flight deck officers, secure flight vetting, AIT machines, TSA intelligence analysts, explosive trace detection, canine teams, credentialing and boarding pass scanning systems, and behavior detection. It is merely part of the highly integrated risk-based analysis system that allows further concentration of limited resources on potentially higher risk passengers.

In closing, I'd like to thank Transportation Security Committee Chairman MIKE ROGERS and Homeland Security Committee Chairman PETER KING for moving this legislation, and all of my colleagues in committee, particularly Ranking Member BENNIE THOMPSON and Subcommittee Ranking Member SHEILA JACKSON LEE, for their support.

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

Ms. RICHARDSON. Mr. Speaker, I rise in support of H.R. 1801, and yield myself such time as I may consume.

First of all, I'd like to acknowledge the work of Chairman KING and Ranking Member THOMPSON.

As a member of the Committee on Homeland Security, I'm pleased that, for the first time in this 112th Congress, the House is considering important transportation security legislation. H.R. 1801, the Risk-Based Security Screening for Members of the Armed Forces Act, requires the Transportation Security Administration to

develop a plan for providing expedited screening for our military personnel at airport security checkpoints.

Since 2001, there have been more than 2 million troops that have been deployed to Iraq and Afghanistan. Last Congress an earlier version of this legislation was accepted as an amendment on a bipartisan basis, as my colleague mentioned earlier, during consideration of the Transportation Security Administration Authorization Act, which passed this House by 397 votes in the "aye" and 25 in the "nay," but it was not acted upon by the Senate, unfortunately.

□ 1640

H.R. 1801 properly recognizes the preciousness of time to our patriotic men and women serving in our armed services without compromising aviation security. This legislation will ensure that our troops and their families, including 236,963 defense personnel in my own home State in California, are given the opportunity to board an aircraft in a security-approved, expedited manner.

Our troops help keep our country safe. The least we can do is devise methods that help speed up the screening process for our troops that are in uniform and are traveling on airplanes while on official duty.

As our military presence in Iraq winds down, it is important that we remain cognizant of the burdens that deployments and travel have on servicemembers and their families in times of war and peace.

In addition to travel services, I support and urge this Congress, the administration, and the Department of Homeland Security to strengthen all military services and programs for our troops, including increasing veteran recruitment efforts.

Some of the additional military support that this Congress should consider would be, one, providing tax credits for hiring veterans looking for work; two, strengthening much-needed training programs for separating servicemembers; three, encouraging businesses and government contractors to hire the brave men and women who have been deployed and have now returned with developed valuable skills and professionalism while in the Armed Forces; four, ensuring that the servicemembers leave the military career-ready.

H.R. 1801 is one of many opportunities for the American public and this Congress to demonstrate their support to those who are serving bravely. Further, it is important to note that consideration of H.R. 1801 marks the first time in this Congress that the House is considering a bill reported by the Committee on Homeland Security. I and other members of this committee look forward to this legislation not being our last.

A number of commonsense homeland security bills are on the U.S. House of Representatives calendar and warrant timely consideration.

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

Mr. CRAVAACK. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. FARENTHOLD).

Mr. FARENTHOLD. I rise also in support of H.R. 1801.

As we come off a holiday weekend, the busiest travel time in this country, many Americans have gone through the screening at our numerous airports. The TSA works hard screening everybody and keeping our flights safe, but we must always be looking for ways to make that system more efficient and safer. Members of our military whom we know have served and put their lives on the line for this country should be among those who are first in a program where we trust our travelers.

We must continue to look for efficiencies to speed air travel. We must continue to look for fewer invasive ways to screen passengers. We must look for ways to make traveling a more pleasant experience and a more profitable experience for the businessmen and -women who travel.

I urge support of this bill, which is where we should start—with members of our armed services; but there are other places we need to look, too—to trusted-traveler programs and flight crews receiving expedited screening. The TSA must continue to work to improve this process to make it safer and more efficient. This bill gives the TSA the encouragement that they need, and is a great step along the way to more efficient, private and better screening for our airport security.

Ms. RICHARDSON. Mr. Speaker, I have no more speakers. If the gentleman from Minnesota has no more speakers, I am prepared to close.

Mr. CRAVAACK. I am prepared to close after the gentlewoman from California closes.

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

H.R. 1801 is needed. It's common sense, and it's a piece of legislation with a history of bipartisan support. I urge my colleagues to support this measure and our troops.

Their time is limited, and it certainly shouldn't be wasted in long lines at the airport. Airports all around the country have multiple checkpoints that expedite the security screening process, and our service personnel have earned this privilege as well.

Likewise, I urge the Republican leadership to put on the House floor additional Homeland Security bills and bills aimed at easing our veterans' transition from military service to civilian careers. It's late November in the first session of this 112th Congress. It's coming to an end, the public is hurting, and Congress must act.

With that, Mr. Speaker, on H.R. 1801 I urge my colleagues to unanimously support this bill, and I yield back the balance of my time.

Mr. CRAVAACK. Mr. Speaker, I would like to thank my colleague from

California for her support on this very important bill and the shared importance, value, and trust we place in our military servicemembers.

I urge support of H.R. 1801, and I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, as the Ranking Member of the Committee on Homeland Security's Subcommittee on Transportation Security, I am pleased that, for the first time this Congress, the House is considering important transportation security legislation.

In this budgetary climate, we must ensure that the Transportation Security Administration is maximizing its resources and adequately integrating efficient screening processes across its checkpoint security programs.

This legislation strives to do that by ensuring that an expedited screening program is established for members of the Armed Forces.

These are the men and women who sacrifice their time and family life to defend our liberty.

Affording them the opportunity to be respectfully screened in an expedited manner will ensure that we continue to honor their service and what their commitment means to the American public.

H.R. 1801 represents common-sense legislation with bipartisan support.

I am happy that I was able to work with Mr. ROGERS and others members of the Subcommittee and Full Committee on Homeland Security on this bill.

I look forward to continuing our work on the Committee on Homeland Security and producing additional bipartisan measures that strive to enhance our nation's transportation security efforts.

I urge my colleagues to support this measure.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. CRAVAACK) that the House suspend the rules and pass the bill, H.R. 1801, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

FEDERAL WORKERS' COMPENSATION MODERNIZATION AND IMPROVEMENT ACT

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2465) to amend the Federal Employees' Compensation Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2465

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Workers' Compensation Modernization and Improvement Act".

SEC. 2. PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE NURSES.

(a) DEFINITION OF MEDICAL SERVICES.—Section 8101(3) of title 5, United States Code, is amended—

(1) by striking “law. Reimbursable” and inserting “law (reimbursable);” and

(2) by inserting before the semicolon, the following: “, and medical services may include treatment by a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by State law, consistent with regulations prescribed by the Secretary of Labor”).

(b) MEDICAL SERVICES AND OTHER BENEFITS.—Section 8103 of title 5, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a), the following:

“(b) Medical services furnished or prescribed pursuant to subsection (a) may include treatment by a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by State law, consistent with regulations prescribed by the Secretary of Labor.”.

(c) CERTIFICATION OF TRAUMATIC INJURY.—Section 8121(6) of title 5, United States Code, is amended by inserting before the period, the following: “(except that in a case of a traumatic injury, a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by State law, may also provide certification of such traumatic injury and related disability during the continuation of pay period covered by section 8118, in a manner consistent with regulations prescribed by the Secretary of Labor)”.

SEC. 3. COVERING TERRORISM INJURIES.

Section 8102(b) of title 5, United States Code, is amended in the matter preceding paragraph (1)—

(1) by inserting “or from an attack by a terrorist or terrorist organization, either known or unknown,” after “force or individual,”; and

(2) by striking “outside” and all that follows through “1979” and inserting “outside of the United States”.

SEC. 4. DISFIGUREMENT.

Section 8107(c)(21) of title 5, United States Code—

(1) by striking “For” and inserting the following: “(A) Except as provided under subparagraph (B), for”; and

(2) by adding at the end the following:

“(B) Notwithstanding subparagraph (A), for an injury occurring during the 3-year period prior to the date of enactment of the Federal Workers’ Compensation Modernization and Improvement Act for which the Secretary of Labor has not made a compensation determination on disfigurement under subparagraph (A), or for an injury occurring on or after the date of enactment of such Act resulting in a serious disfigurement of the face, head, or neck, proper and equitable compensation in proportion to the severity of the disfigurement, not to exceed \$50,000, as determined by the Secretary, shall be awarded in addition to any other compensation payable under this schedule. The applicable maximum compensation for disfigurement provided under this subparagraph shall be adjusted annually on March 1 in accordance with the percentage amount determined by the cost of living adjustment in section 8146a.”.

SEC. 5. SOCIAL SECURITY EARNINGS INFORMATION.

Section 8116 of title 5, United States Code, is amended by adding at the end the following:

“(e) Notwithstanding any other provision of law, the Secretary of Labor may require, as a condition of receiving any benefits under this subchapter, that a claimant for such benefits consent to the release by the Social Security Administration of the Social Security earnings information of such claimant.”.

SEC. 6. CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.

Section 8118 of title 5, United States Code, is amended—

(1) in subsection (b), by striking “Continuation” and inserting “Except as provided under subsection (e)(2), continuation”;

(2) in subsection (c), by striking “subsections (a) and (b)” and inserting “subsections (a) and (b) or subsection (e),”; and

(3) in subsection (d), by striking “subsection (a)” and inserting “subsection (a) or (e),”; and

(4) by redesignating subsection (e) as subsection (f); and

(5) by inserting after subsection (d) the following:

“(e) CONTINUATION OF PAY IN A ZONE OF ARMED CONFLICT.—

“(1) IN GENERAL.—Notwithstanding subsection (a), the United States shall authorize the continuation of pay of an employee as defined in section 8101(1) of this title (other than those referred to in subparagraph (B) or (E)), who has filed a claim for a period of wage loss due to traumatic injury in performance of duty in a zone of armed conflict (as so determined by the Secretary of Labor under paragraph (3)), as long as the employee files a claim for such wage loss benefit with his immediate superior not later than 45 days following termination of assignment to the zone of armed conflict or return to the United States, whichever occurs later.

“(2) CONTINUATION OF PAY.—Notwithstanding subsection (b), continuation of pay under this subsection shall be furnished for a period not to exceed 135 days without any break in time or waiting period, unless controverted under regulations prescribed by the Secretary of Labor.

“(3) DETERMINATION OF ZONES OF ARMED CONFLICT.—For purposes of this subsection, the Secretary of Labor, in consultation with the Secretary of State and the Secretary of Defense, shall determine whether a foreign country or other foreign geographic area outside of the United States (as that term is defined in section 202(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4302(7))) is a zone of armed conflict based on whether—

“(A) the Armed Forces of the United States are involved in hostilities in the country or area;

“(B) the incidence of civil insurrection, civil war, terrorism, or wartime conditions threatens physical harm or imminent danger to the health or well-being of United States civilian employees in the country or area;

“(C) the country or area has been designated a combat zone by the President under section 112(c) of the Internal Revenue Code of 1986 (26 U.S.C. 112(c));

“(D) a contingency operation involving combat operations directly affects civilian employees in the country or area; or

“(E) there exist other relevant conditions and factors.”.

SEC. 7. SUBROGATION OF CONTINUATION OF PAY.

(a) SUBROGATION OF THE UNITED STATES.—Section 8131 of title 5, United States Code, is amended—

(1) in subsection (a), by inserting “continuation of pay or” before “compensation”; and

(2) in subsection (c), by inserting “continuation of pay or” before “compensation already paid”.

(b) ADJUSTMENT AFTER RECOVERY FROM A THIRD PERSON.—Section 8132 of title 5, United States Code, is amended—

(1) by inserting “continuation of pay or” before “compensation” the first, second, fourth, and fifth place it appears;

(2) by striking “in his behalf” and inserting “on his behalf”; and

(3) by inserting “continuation of pay and” before “compensation” the third place it appears.

SEC. 8. FUNERAL EXPENSES.

Section 8134 of title 5, United States Code, is amended—

(1) in subsection (a), by striking “If” and inserting “Except as provided in subsection (b), if”; and

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b) Notwithstanding subsection (a), for deaths occurring on or after the date of enactment of the Federal Workers’ Compensation Modernization and Improvement Act, if death results from an injury sustained in the performance of duty, the United States shall pay, to the personal representative of the deceased or otherwise, funeral and burial expenses not to exceed \$6,000, in the discretion of the Secretary of Labor. The applicable maximum compensation for burial expenses provided under this subsection shall be adjusted annually on March 1 in accordance with the percentage amount determined by the cost of living adjustment in section 8146a.”.

SEC. 9. EMPLOYEES’ COMPENSATION FUND.

Section 8147 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “except administrative expenses” and inserting “including administrative expenses”; and

(B) by striking the last 2 sentences; and

(2) in subsection (b)—

(A) in the first sentence, by inserting before the period “and an estimate of a pro rata share of the amount of funds necessary to administer this subchapter for the fiscal year beginning in the next calendar year”; and

(B) in the second sentence, by striking “costs” and inserting “amount set out in the statement of costs and administrative expenses furnished pursuant to this subsection”.

SEC. 10. CONFORMING AMENDMENT.

Section 8101(1)(D) of title 5, United States Code, is amended by inserting before the semicolon “who suffered an injury on or prior to March 3, 1979”.

SEC. 11. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act, shall take effect 60 days after the date of enactment of this Act.

SEC. 12. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. WALBERG) and the gentlewoman from California (Ms. WOOLSEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2465.

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

There was no objection.

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

I rise today in support of H.R. 2465, the Federal Workers' Compensation Modernization and Improvement Act. The legislation was approved unanimously by the House Education and Workforce Committee, a testament to its commonsense bipartisan policies. I urge my colleagues to support it.

For more than 90 years, our workers' compensation program has provided assistance to Federal employees who become injured or ill through a work-related activity. The program reflects our commitment to the men and women who serve our country in the Federal Government.

Established by the Federal Employees' Compensation Act, the program is administered by the Department of Labor; and, in recent years, it has grown significantly in size and in cost. An estimated 3 million employees are covered by the program. During fiscal year 2010, beneficiaries receive nearly \$3 billion in workers' compensation.

Unfortunately, this Federal program has not been significantly reformed or updated in almost 40 years; and as is too often the case with government programs left unchecked for decades, waste and inefficiencies have crept into the system, leading to poor use of taxpayer resources and diminished support for the individuals the program is intended to serve.

Through the oversight efforts of the Education and Workforce Committee, we've learned about a number of challenges confronting the program. For example, workers in rural areas like my own may have limited access to medical care. Additionally, Mr. Speaker, some compensation levels remain set to formulas that made sense during the days of the Second World War, but are inappropriate today. Clearly, reform is long overdue.

Federal employees should have access to a program that reflects the realities of today's economy and that takes into account the best practices in medical care. Taxpayers deserve a program that operates efficiently and effectively. That's why I, along with the other leaders on the Education and Workforce Committee, introduced the Federal Workers' Compensation Modernization and Improvement Act, an initial step in our effort to strengthen the program and bring it into the 21st century.

□ 1650

The bill before us today advances this goal in three important ways:

First, Mr. Speaker, H.R. 2465 enhances the efficiency of the Federal Workers' Compensation Program. The legislation allows physician assistants and advanced practice nurses—highly trained individuals in the medical profession—to certify a worker's disability and ensure these professionals are reimbursed for their services. The bill also streamlines the claims process for workers who sustain a traumatic injury in an area of armed conflict. These individuals can work in hostile and even deadly environments, and they should not have to wait months for benefits they are entitled to and the taxpayer wishes to afford them;

Second, the legislation, Mr. Speaker, improves the integrity of the Workers' Compensation Program. The Labor Department would be allowed to cross-check an employee's earnings with information held at the Social Security Administration, helping to provide workers the benefits they deserve, no more and no less. The Department would also be empowered to collect administrative costs and other expenses from agencies employing the workers, promoting greater accountability within the program for all Federal agencies;

Finally, Mr. Speaker, the legislation modernizes benefits to better meet the needs of today's workers, providing the level of support employees need and guaranteeing that injuries or illnesses resulting from an act of terrorism are treated like other war-risk hazards.

The Federal Workers' Compensation Modernization and Improvement Act represents commonsense reform Federal workers and taxpayers deserve. I encourage my colleagues to support the legislation.

I reserve the balance of my time.

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

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise in support of H.R. 2465, the Federal Workers' Compensation Modernization and Improvement Act.

This legislation is the product of bipartisan cooperation and consensus, and I thank the chairman of the Workforce Protections Subcommittee for being here and being the leader on this today.

This legislation updates and improves the Federal Employees' Compensation Act, or FECA, which provides a safety net to 2.7 million Federal civilian and postal employees, ensuring they can continue to support their families and pay their bills if they're injured on the job. A core principle embedded in FECA is that workers should be no better off, or no worse off, for having suffered a work-related injury.

The reforms in this bill are an initial step toward making FECA fairer and more efficient for taxpayers and the Federal employees who depend on the program. H.R. 2465 updates benefits for funeral expenses and facial disfigure-

ment, both of which have not been updated since 1949. It ensures that injuries caused by acts of terrorism are covered and expands the pool of medical providers to include advanced practice nurses and physician assistants. It also expands the continuation of "pay period" from 45 days to 135 days for those who are injured overseas in a "zone of armed conflict" to make it easier to file for benefits.

This legislation also will improve program integrity by allowing the Department of Labor to match its records against Social Security earnings information, ensuring that beneficiaries are not receiving prohibited salary or outside income at the same time they're receiving FECA benefits. Consistent with a Government Accountability Office recommendation, the bill allows the government to recover a portion of payments that were secured from third parties. Mr. Speaker, these commonsense, bipartisan changes will make FECA more efficient and, according to the Congressional Budget Office, will produce savings for taxpayers and the postal service.

The committee is also aware of Department of Labor proposals to slash benefits for workers with dependents, reduce benefits for permanently disabled workers when they reach retirement age, and shrink survivor benefits. While the Department contends their proposal addresses inequities, they have not presented evidence that these changes will not create unintended consequences.

For that reason, I was pleased to join Chairman KLINE, Subcommittee Chairman WALBERG, and Ranking Member MILLER in sponsoring a July 8 request to the GAO asking that it assess the impacts of the Labor Department's proposed changes. The GAO report will be vital—it will be so important—as we look for ways to further improve FECA without undermining its core values.

Before we consider what we're going to be doing, we have to consider who is impacted by changes when we modify this law. And when we do, we have to keep in mind that FECA is these workers' exclusive remedy, which means injured workers and survivors of those killed on the job cannot sue the government for their losses.

Leslie Black was a correctional officer at the Federal Correctional Institution in Bennettsville, South Carolina, when she was attacked by an inmate on May 2, 2007. She wrote this:

The inmate who attacked me had embedded two razors into a plastic spoon by melting the spoon around the razors, creating a lethal weapon. With this weapon, he slashed my throat and right arm, causing severe bleeding, blood loss, and lacerations.

Since this attack, my family and I have survived on a reduced income of my workers' compensation benefits and my husband's income, including his wages as a member of the Army National Guard. We have three children at home, and my workers' compensation benefits have been the difference between financial survival and financial ruin. We hardly live in the lap of luxury.

She hopes to return to work at the prison in a suitable position in the near future, Mr. Speaker. She asked, "Why would anyone want to cut benefits for someone who was hurt trying to keep the community safe?"

Given the public service provided by Leslie and other Federal workers, I was disappointed to see that the Senate Committee on Homeland Security and Government Affairs has reported out postal reform legislation that adopted many of the Department of Labor's proposals to cut FECA and then went a step further and cut them even more deeply without having first undertaken an analysis of the impacts. The Senate committee even imposed some of these cuts retroactively. Frankly, taking a meat axe to the FECA program without first doing your homework is irresponsible. It is my hope that the legislation before us today, coupled with a bipartisan commitment to study the matter with care, can serve as an example for the correct path forward for improving FECA.

These are not just numbers. They're not just percentages that we're dealing with. These changes could mean unjust impoverishment for a Federal firefighter injured while battling a forest fire or the widow of an FBI officer killed in the line of duty. Representative GABBY GIFFORDS and her staff were covered under FECA following the tragic assault that killed six in Tucson, Arizona, earlier this year.

As we move forward, it is important that any further reforms are fair to both taxpayers and injured workers. While I appreciate the desire of some colleagues to move quickly to address their concerns about FECA, it is prudent to allow a few months for GAO to complete its work before redesigning the benefit structure.

Mr. Speaker, I am also troubled to learn that the House Committee on Oversight and Government Reform decided to include changes to FECA in a postal reform bill that would create a separate postal workers' compensation system outside of FECA. All Federal workers—all Federal workers—should be covered under the same workers' compensation system, regardless of which agency employs them. So pursuant to House rules, Workers' Compensation Programs, including FECA, have been within the primary jurisdiction of the House Committee on Education and the Workforce, and I expect that members of our committee will have an opportunity to weigh in on that bill before it moves forward.

□ 1700

Mr. Speaker, H.R. 2465 enjoys the support of a broad coalition of labor unions, organizations of health care providers, and retiree groups.

In closing, I would like to thank Chairman KLINE, Ranking Member MILLER, and Subcommittee Chairman WALBERG for their work on this legislation.

It has been truly a gift to work in a bipartisan manner.

AMERICAN ACADEMY OF
PHYSICIAN ASSISTANTS,
Alexandria, VA, July 12, 2011.

Hon. JOHN KLINE,
Chairman, Committee on Education and the
Workforce, House of Representatives, Wash-
ington, DC.

Hon. TIM WALBERG,
Chairman, Subcommittee on Workforce Protec-
tions, Washington, DC.

Hon. GEORGE MILLER,
Ranking Member, Committee on Education and
the Workforce, House of Representatives,
Washington, DC.

Hon. LYNN WOOLSEY,
Ranking Member, Subcommittee on Workforce
Protections, Washington, DC.

DEAR MR. CHAIRMAN AND REPRESENTATIVES MILLER, WALBERG, AND WOOLSEY: On behalf of the 75,000 clinically practicing physician assistants (PAs) represented by the American Academy of Physician Assistants (AAPA), the Academy would like to commend you for your leadership to reauthorize the Federal Employees' Compensation Act (FECA) and to make the program more efficient and responsive to federal workers who are injured on the job. AAPA supports the provisions in H.R. 2465, the Federal Workers' Compensation Modernization and Improvement Act, to amend FECA to allow PAs to provide care for federal employees with traumatic job-related injuries.

Currently, physician assistants (PAs) are not covered providers under FECA and are unable to treat and diagnose federal employees injured on the job. However, many federal employees, particularly postal workers, are employed in rural and other medically underserved communities where a PA may be the only health care professional available. Consequently, a PA who is the sole provider present at a medical practice or clinic, is faced with an unacceptable dilemma when a federal employee requests medical care for a job-related injury—i.e., either provide the care and know that the federal workers' compensation program will not provide payment for a claim or direct the injured federal worker to the nearest hospital emergency room where a PA will likely provide the care at 4 to 5 times the cost.

PAs are covered providers in virtually all private and public health insurance plans, including the Federal Employee Health Benefits Program. PAs are employed throughout the federal government to provide medical care, including the White House, all branches of the Armed Services, the Department of Veterans Affairs, and the U.S. Public Health Service and Indian Health Service. Additionally, PAs are covered providers in the overwhelming majority of state workers compensation programs.

AAPA praises the efforts by the leading members of the House Education and Workforce committee to resolve this disparity in the law and help make health care more accessible to all federal employees.

We look forward to working with the committee further to ensure passage of H.R. 2465. Should you have any questions regarding the PA profession, the AAPA, and/or the role of PAs in occupational medicine, please do not hesitate to contact Sandy Harding, AAPA Senior Director of Federal Advocacy, at 571-319-4338 or sharding@aaapa.org.

Sincerely,

ROBERT L. WOOFEN, PA-C,
President.

Hon. JOHN KLINE,

Chairman, Education and Workforce Committee,
House of Representatives, Washington, DC.

Hon. GEORGE MILLER,

Ranking Member, Education and Workforce
Committee, House of Representatives, Wash-
ington, DC.

DEAR CHAIRMAN KLINE AND RANKING MEM-
BER MILLER:

We appreciate your efforts on the Federal Workers' Compensation Program Improvement Act, which is a step in the right direction to ensuring patients have the care they need in a timely manner. We support the effort to strengthen the work Physician Assistants and Advanced Practice Registered Nurses (APRNs) provide in the Federal Workers' Compensation program today, and would like to highlight one minor technical change that will improve the legislation.

While this legislation has a number of strong points, we feel that one clarification will make the bill even stronger. There are four APRN specialties: Nurse Practitioners, Certified Registered Nurse Anesthetists, Certified Nurse-Midwives, and Clinical Nurse Specialists. The legislation indicates that "physician assistants and advanced practice nurses, such as a nurse practitioner," be included as those providing medical services in the Federal Workers' Compensation program and related to certification of traumatic injury. Since there are four, and only four, APRN specialties, we ask that all four specialties be listed in the legislation either in the parenthetical references where only nurse practitioners are now listed or in a new definition section for Advanced Practice Registered Nurses. The term APRN encompasses only four nursing specialties, and while the legislation includes all four specialties solely by using the term "APN," we feel that it is important to clearly indicate the four specialties in order to protect these providers from losing payment for services they are already providing in the Federal Workers' Compensation program. We do not want this legislation to inadvertently provide an impetus for the agency to deny reimbursement for care that these other three APRN specialties are already providing to patients in this federal program.

Thank you again for your work on this important bipartisan legislation, as you seek to ensure our federal employees have the care they need when they need it. We look forward to working with you to make this legislation as strong as possible, working with the APRN community to resolve any concerns that may arise with the bill, and working with the full House, Senate and the Administration to ensure our federal employees have the care they need and deserve. If you have questions, please contact Ann Walker-Jenkins at the American Association of Nurse Anesthetists at 202-741-9083 or via email at awalker-jenkins@aanadc.com.

Sincerely,

AMERICAN ASSOCIATION OF
NURSE ANESTHETISTS,
AMERICAN COLLEGE OF
NURSE-MIDWIVES,
AMERICAN NURSES
ASSOCIATION,
NATIONAL ASSOCIATION OF
CLINICAL NURSE
SPECIALISTS.

AMERICAN POSTAL WORKERS UNION,

AFL-CIO,

Washington, DC, July 8, 2011.

Hon. JOHN KLINE,

Chairman, House Committee on Education and
the Workforce, Washington, DC.

Hon. GEORGE MILLER,

Ranking Member, House Committee on Edu-
cation and the Workforce, Washington, DC.

DEAR CHAIRMAN KLINE AND RANKING MEM-
BER MILLER: Let me begin by expressing my

gratitude for giving the APWU the opportunity to share our views with the Committee regarding reforms to the Federal Employees Compensation Act. We have reviewed the proposed legislation. In our opinion, it facilitates program integrity without undercutting benefits from workers while still ensuring the modernization of program benefits. H.R. 2465 is a vast improvement to the Administration's proposals and those being offered by others.

The APWU is supportive of this bipartisan measure, and looks forward to working with you in the months ahead to remedy other segments of the law that are in need of legislative attention. We are particularly interested in working together to achieve meaningful change that would help injured workers return-to-work without subjecting them to the harmful consequences that currently exist. Further, the APWU strongly agrees with the Committee's request for GAO to examine various factors to help assess whether additional FECA amendments could compound inequities to injured workers.

In closing, we would like to express our appreciation for the concern you have demonstrated towards postal and federal workers who are injured on-the-job by working in mutual cooperation to draft this bipartisan legislation. Should you have any questions, or concerns please do not hesitate to contact my office.

Sincerely,

SUSAN M. CARNEY,
Human Relations Director.

NATIONAL ACTIVE AND RETIRED
FEDERAL EMPLOYEES ASSOCIATION,
Alexandria, VA, November 28, 2011.

DEAR REPRESENTATIVE: On behalf of the 4.6 million federal employees and annuitants represented by the National Active and Retired Federal Employees Association (NARFE), I urge you to vote for H.R. 2465, the Federal Workers' Compensation Modernization and Improvement Act of 2011. The bill provides a thoughtful approach to reforming federal workers' compensation laws, one that does not reduce the basic benefits paid to employees who suffer a debilitating injury or illness as a result of their public service.

The legislation combines much-needed adjustments to compensation for the worst case injuries and commonsense cost-saving measures that should improve the processing of claims and reduce improper payments and fraud. Specifically, NARFE supports the bill's provisions to expand coverage for injuries or illnesses caused by a terrorist attack; to increase the maximum compensation to employees for serious disfigurement of the head, face or neck from an outdated \$3,500 to a more reasonable \$50,000; to extend the time period for a continuation of pay in a zone of armed conflict to 135 days; and to increase compensation for funeral expenses from an outdated \$800 to a more reasonable \$6,000.

H.R. 2465 represents the best path to reform, one that will achieve cost savings and improve fairness, and not coincidentally, enjoys broad bipartisan support.

Thank you for working together on this issue to craft this commonsense legislation.

Sincerely,

JOSEPH A. BEAUDOIN,
President.

AMERICA FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO,
Washington, DC, November 28, 2011.

DEAR REPRESENTATIVE: On behalf of the American Federation of Government Employees, AFL-CIO, which represents more than 650,000 federal workers, I strongly urge you to support the bipartisan Federal Workers' Compensation Modernization and Im-

provement Act (H.R. 2465), when the full House considers the bill this week.

As you know, the Federal Employees' Compensation Act (FECA) provides wage-loss compensation benefits to federal workers who become injured or ill through a work-related activity. However, the FECA program has not been significantly reformed since 1974, and as a result, a number of weaknesses have emerged.

H.R. 2465 will enhance and update the FECA program, thereby ensuring the program meets the needs of both workers and taxpayers. The bill will reform the FECA program by:

Authorizing physician assistants and advanced practice nurses, such as nurse practitioners, to provide medical services and to certify traumatic injuries.

Updating benefit levels for severe disfigurement of the face, head, or neck (up to \$50,000) and for funeral expenses (up to \$6,000)—both of which have not been increased since 1949.

Making clear that the FECA program covers injuries caused from an attack by a terrorist or terrorist organization.

Giving federal workers who suffer traumatic injuries in a zone of armed conflict more time to initially apply for FECA benefits and extending the duration of the continuation of pay period from 45 days to 135 days.

Including program integrity measures recommended by the Inspector General and the Government Accountability Office.

AFGE supports this bipartisan measure because it modernizes the FECA program without undercutting federal workers' compensation benefits. We look forward to working with you in the months ahead to remedy other aspects of the FECA law that are in need of legislative attention. We are particularly interested in working together to help injured workers return to work without subjecting them to the harmful consequences that currently exist. In addition, AFGE agrees with the House Education and Workforce Committee's request for the Government Accountability Office to examine certain FECA program changes proposed by the U.S. Department of Labor before lawmakers consider any FECA reforms beyond those in H.R. 2465.

Thank you for your attention to this important matter. If you have any thoughts or questions, please feel free to contact Milly Rodriguez (rodrim@afge.org) in our Field Services & Education Department or Alan Kadrofske (kadroa@afge.org) in our Legislative & Political Department.

Sincerely,

BETH MOTEN,
Legislative and Political Director.

I urge my colleagues to support H.R. 2465, and I yield back the balance of my time.

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

Let me close by acknowledging the bipartisan effort that went into crafting the legislation, as my ranking member of the subcommittee, Ms. WOOLSEY, has already stated.

It was a bipartisan effort that worked toward a very satisfactory, even more so, unnecessary conclusion, as well as bringing the bill before the House today.

I'd like to express my gratitude to the chairman and ranking member of the Education and the Workforce Committee, Congressmen JOHN KLINE and GEORGE MILLER, for their work and the work of their staffs on this important

legislation. I'd also recognize the hard work of the staffs of our Workforce Protection Subcommittee, both Congresswoman WOOLSEY's and mine, in this effort as well.

The committee on which we are privileged to serve brings together individuals from very different walks of life and with very different views on how to fix the problems facing this great Nation, in many cases; but I'm encouraged that we've been able to work together on this legislation, demonstrating our shared commitment to serve American workers and taxpayers.

I urge my colleagues to support the Federal Workers' Compensation Modernization and Improvement Act.

I yield back the balance of my time.

Mr. KLINE. Mr. Speaker, I am pleased to offer the following Managers' Joint Statement of Legislative Intent on H.R. 2465, the Federal Workers' Compensation Modernization and Improvement Act, which I also offer on behalf of the Senior Democratic Member of the Committee on Education and the Workforce, Mr. GEORGE MILLER (D-CA), and the Chairman and Senior Democratic Member of the Committee's Subcommittee on Workforce Protections, Mr. TIM WALBERG (R-MI) and Ms. LYNN WOOLSEY (D-CA).

JOINT STATEMENT OF LEGISLATIVE INTENT ON
H.R. 2465, THE FEDERAL WORKERS' COMPENSATION MODERNIZATION AND IMPROVEMENT ACT

PURPOSE

H.R. 2465 amends the Federal Employees' Compensation Act (FECA), 5 U.S.C. §§8101 et seq., the federal statute providing workers' compensation benefits to federal employees who become injured or ill due to a work-related activity. As further discussed below in the Joint Statement of Legislative Intent, the bill enhances the efficiency of the FECA program, which is administered by the Department of Labor's (DOL) Office of Workers' Compensation Programs (OWCP); improves the integrity of the FECA program; and modernizes two FECA benefit levels that have not been adjusted for inflation in over six decades.

COMMITTEE ACTION

On May 12, 2011, the Committee on Education and the Workforce, Subcommittee on Workforce Protections, held a hearing entitled, "Reviewing Workers' Compensation for Federal Employees." The purpose of the hearing was to review the current state of the FECA program and discuss ways to improve and modernize FECA. Testifying before the subcommittee were: Mr. Scott Szymendera, Congressional Research Service, U.S. Library of Congress, Washington, D.C.; Mr. Daniel Bertoni, Director of Education, Workforce, and Income Security, U.S. Government Accountability Office, Washington, D.C.; Mr. Gary Steinberg, Acting Director, Office of Workers' Compensation Programs, U.S. Department of Labor, Washington, D.C.; Ms. Susan Carney, Director, Human Relations Department, American Postal Workers Union, Washington, D.C.; and Mr. Elliot Lewis, Assistant Inspector General for Audit, Office of Inspector General, U.S. Department of Labor, Washington, D.C. Testimony for the record was submitted by the National Treasury Employees Union, the American Federation of Government Employees, AFL-CIO, and the National Active and Retired Federal Employees Association.

On July 8, 2011, I introduced H.R. 2465, along with cosponsors Reps. Miller, Walberg,

and Woolsey. The Committee on Education and the Workforce considered H.R. 2465 in legislative session on July 13, 2011, and ordered the bill favorably reported to the House of Representatives by voice vote. There were no amendments.

The committee received letters of support for H.R. 2465 from the following organizations: the American Academy of Physician Assistants, the American Association of Nurse Anesthetists, the American College of Nurse-Midwives, the American College of Occupational and Environmental Medicine, the American Nurses Association, the American Postal Workers Union, the Federal Law Enforcement Officers Association, the National Active and Retired Federal Employees Association, the National Treasury Employees Union, the American Federation of Government Employees, the Workers' Injury Law & Advocacy Group, the National Association of Clinical Nurse Specialists, and the National Association of Letter Carriers.

H.R. 2465 represents the committee's initial consideration of reforms to FECA. The committee concluded the FECA reform package advocated by DOL lacked sufficient information to consider the impact of DOL's wider reforms. The DOL Inspector General testified before the committee on May 12, 2011, that before changes to the benefit structure are considered, "careful consideration is needed to ensure that the percent of benefits ultimately established will have the desired effect while ensuring fairness to injured workers, especially those who have been determined to be permanently impaired and thus unable to return to work." The May 12 hearing showed that DOL's reforms could have unintended adverse consequences and highlighted that further assessment would be needed. To that end, on July 8, 2011, the four sponsors of this legislation asked the Government Accountability Office (GAO) to evaluate the consequences of administration proposals to: modify FECA related to benefit levels when permanently injured employees reach social security retirement age; reduce benefit levels for individuals with dependents; and establish a three-day waiting period before FECA benefits can begin. GAO findings will inform further consideration of FECA program changes.

JOINT STATEMENT OF LEGISLATIVE INTENT

Section 2. Physician Assistants and Advanced Practice Nurses.

Section 2 amends FECA §§8101(3) (definition of "medical, surgical, and hospital services and supplies") to provide that the definition of "medical services" under FECA may include "treatment by a physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of the practice as defined by state law, consistent with regulations prescribed by the Secretary of Labor."

Section 2 amends FECA §8103 (medical services and initial medical and other benefits) to provide explicitly that a "physician assistant or advanced practice nurse, such as a nurse practitioner," may provide "medical services" under FECA "within the scope of their practice as defined by state law, consistent with regulations prescribed by the Secretary of Labor."

Section 2 amends FECA §8121(6) (certification of claims) to authorize a "physician assistant or advanced practice nurse, such as a nurse practitioner, within the scope of their practice as defined by state law," to certify a traumatic injury and the probable extent of related disability during the 45-day continuation of pay period covered by section 8118, in a manner consistent with regulations prescribed by the Secretary of Labor.

Expanding services provided by physician assistants and advanced practice nurses im-

proves program efficiency by allowing injured federal workers to utilize local clinics or other health service providers in which only a physician assistant or advanced practice nurse is on site; expanding the number of providers eligible to provide certification of injury and the probable extent of disability for traumatic injuries with respect to claims for continuation of pay; and expanding eligible medical services providers, which is of particular benefit to those in rural areas and zones of armed conflict. The term "advanced practice nurse" may include, but is not limited to, nurse anesthetists, nurse practitioners, clinical nurse specialists, nurse midwives, and nurse psychotherapists, within the scope of their practice as defined by state law.

Section 3. Covering Terrorism Injuries.

Section 3 amends FECA §8102(b) (compensation for disability or death of employee) to provide that a disability or death as a result of "an attack by a terrorist or terrorist organization, either known or unknown," is "deemed to have resulted from personal injury sustained while in the performance of duty," under FECA's "war-risk hazard" provision. This codifies current OWCP practice of covering such disabilities or deaths as "war-risk hazards."

Section 4. Disfigurement.

Section 4 amends FECA §8107(c)(21) (compensation schedule for scheduled awards) to increase the maximum amount payable for "serious disfigurement of the face, head, or neck" from \$3,500 to \$50,000. This amount has not been increased since 1949. The maximum will be adjusted for inflation on March 1 of each year in accordance with FECA §8146a (cost-of-living adjustment of compensation).

Section 4 eliminates the current statutory requirement that disfigurement must be "of a character likely to handicap an individual in securing or maintaining employment." Rather, pursuant to Section 4, scheduled awards will be made solely in proportion to the severity of the disfigurement, as determined by the Secretary of Labor.

Section 4 will apply to injuries occurring in the 3-year period prior to the date of enactment and for which the Secretary of Labor has not made a compensation determination on disfigurement, or for injuries which occur on or after the date of enactment.

Section 5. Social Security Earnings Information.

Section 5 amends FECA §8116 by adding a new subsection (e) authorizing the Secretary of Labor to require FECA claimants, as a condition of receiving FECA benefits, to authorize the Social Security Administration (SSA) to release earnings information to DOL. The purpose of this provision is to enable DOL to discover instances in which claimants are not disclosing earnings information to DOL as they are required to under FECA.

The FECA statute anticipates that the Secretary of Labor will require FECA claimants to submit reports of earnings, and further states that a claimant who fails to submit such a report or knowingly omits such earnings forfeits entitlement to compensation under FECA for the period covered by that report. However, the statute currently contains no mechanism whereby DOL can cross-check such reports with claimants' SSA earnings. Receipt of FECA benefits for total disability, when a claimant is, in fact, earning a wage, is antithetical to one of the statute's fundamental purposes.

Section 5 will permit DOL to obtain individual earnings reports from SSA, which are needed to verify whether individual FECA claimants have earnings not reported to DOL. Section 5 will also permit DOL and

SSA to conduct computer matches between a list of claimants produced by DOL by allowing DOL to provide SSA with such a list and a certification that each of the claimants on the list has consented to the release of SSA earnings information by virtue of and as part of his or her application for FECA benefits. This will conserve scarce DOL resources by avoiding the need to obtain from the claimant and provide to SSA individual consent forms. Ultimately, Section 5 will increase the ability of DOL to detect unreported earnings by FECA claimants.

Section 6. Continuation of Pay in a Zone of Armed Conflict.

Section 6 amends FECA §8118 (continuation of pay) to provide continuation of pay for wage loss due to traumatic injury in performance of duty in a designated zone of armed conflict, as defined in this Section, for a period not to exceed 135 days, so long as the employee files a claim for such benefit no longer than 45 days after terminating service in the zone of armed conflict or the employee's return to the United States, whichever occurs later.

Section 7. Subrogation of Continuation of Pay.

Section 7 amends FECA §§8131 (subrogation) and 8132 (adjustment after recovery from third party) to authorize the United States to recover continuation of pay benefits received under FECA §8118, if such damages were paid to a FECA beneficiary by a third party (other than the United States), subject to the existing formula in FECA. This right to recover continuation of pay is in addition to the existing right of the government to secure reimbursement of compensation benefits.

Section 8. Funeral Expenses.

Section 8 amends FECA §8134 (funeral expenses) to increase the amount payable for funeral expenses for deaths occurring on or after the date of enactment from the current \$800 to \$6,000. This amount has not been increased since 1949. The maximum will be adjusted for inflation on March 1 of each year in accordance with FECA §8146a (cost-of-living adjustment of compensation).

Section 9. Employees' Compensation Fund.

Section 9 amends FECA §8147 to allow for administrative expenses for appropriated fund agencies to be paid out of the Employees' Compensation Fund and for a pro-rata share of administrative expenses to be included in agencies' annual chargeback. Currently, DOL charges non-appropriated fund agencies, such as the U.S. Postal Service, for administrative costs on a pro rata basis, while the administrative expenses for all other agencies are appropriated on an annual basis to DOL. This provision will have no net effect on the budget of the federal government.

Section 10. Conforming Amendment.

Section 10 amends FECA §8101(1) (definition of "employee") to update the law to acknowledge that on May 3, 1979, District of Columbia employees became covered under the District of Columbia Government Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139; D.C. Official Code §1-601.01, et seq., instead of FECA.

Section 11. Effective Date.

This section provides that unless specified otherwise in the Federal Workers' Compensation Modernization and Improvement Act, the effective date of this Act is 60 days after the date of enactment.

CBO COST ESTIMATE

The Congressional Budget Office estimates that enacting these changes would reduce net direct spending by \$22 million over the 2012-2021 period, including \$6 million in on-

budget savings and \$16 million in off-budget savings (to the U.S. Postal Service).

Over the 10 year period there would be a very slight decrease in spending subject to appropriation (<\$500,000).

Mr. CONNOLLY of Virginia. Mr. Speaker, I want to recognize Chairman KLINE, Ranking Member MILLER, Chairman WALBERG, and Ranking Member WOOLSEY for their collaboration on this important legislation to update federal workers' compensation policy. The Federal Workers' Compensation Modernization and Improvement Act is a result of bipartisan collaboration on the Education and Workforce Committee, and it is the kind of legislation Congress should produce more often. It will save \$22 million for the federal government by reducing fraudulent payments, including \$16 million for the Postal Service.

The Federal Workers' Compensation Modernization and Improvement Act provides a long overdue update of the Federal Employees Compensation Act (FECA). The Federal Employees Compensation Act is important because it provides workers who are injured on the job with replacement income to substitute for wages that they would have earned but for an on-the-job injury. Consider how outdated the statute is today: Workers whose face or head is severely disfigured by an on-the-job injury only can receive \$3,500 in compensation today, based on an antiquated formula established in 1949. Clearly, \$3,500 cannot compensate for lost earnings potential as a result of severe head and face injuries, so this bill updates it to \$50,000. This legislation also updates the definition of war-related injuries to include terrorist attacks, a commonsense reform to reflect new realities. It also contains new reforms to prevent disability fraud by facilitating income checks by the Department of Labor and Social Security Administration. These improvements will help ensure that federal disability payments only go to injured workers, not perpetrators of fraud.

The leadership of the Education and Workforce Committee deserves credit for drafting this legislation in a thoughtful, collaborative process. The Congressional Budget Office notes that this legislation will reduce total disability payments, but it will do so in a fair and humane manner. That is why a wide range of federal employee groups including postal unions, NTEU and NARFE have endorsed this bill. The legislation before us demonstrates that we can save money in collaboration with public employees rather than using them as a scapegoat for budgetary challenges.

This bill's timing is propitious, because the Oversight and Government Reform Committee, of which I am a member, has reported a divisive, partisan bill which also would change workers' compensation policy. Unfortunately, that legislation (H.R. 2309) was written in a secretive, partisan manner and enjoys none of the bipartisan support that the Federal Workers' Compensation Modernization and Improvement Act does. When we marked up H.R. 2309 in subcommittee and full committee, some members noted that it intruded on the jurisdiction of the Education and Workforce Committee. Incredibly, the Committee Chairman ignored the ruling of the Parliamentarian and included a non-germane provision on FECA changes in the Subcommittee mark. Not surprisingly, federal employee organizations condemned the harsh proposals in H.R. 2309.

Their criticisms were appropriate, as H.R. 2309 contains provisions of appalling cruelty. It would terminate workers compensation payments in a mere two years and shift those workers to retirement benefits. Remember, these are previously healthy workers who were crippled on the job. The only reason that they cannot support themselves is an on-the-job injury, yet H.R. 2309 would terminate those worker compensation payments and make them try to survive on small annuity payments. These annuity payments would often be insufficient to survive because the affected worker would have been injured on the job before he had time to finish his career and accrue an adequate retirement savings.

Fortunately, the Education and Workforce Committee chose a thoughtful, collaborative process which saves money and protects workers rights rather than producing the secretive, partisan, and cruel workers compensation provisions in H.R. 2309. I applaud their leadership on this important legislation and urge my colleagues to support the Federal Workers' Compensation Modernization and Improvement Act.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in support of the Federal Workers' Compensation Modernization and Improvement Act. This bill reflects an initial step to modernize and reform the Federal Employees Compensation Act (FECA).

FECA has provided workers' compensation benefits to federal civilian workers injured or killed on the job since 1916.

Administered by the Labor Department, FECA provides workers' compensation coverage to over 2.7 million civilian federal and postal employees.

The law covers FBI agents shot in the line of duty, guards wounded in facilities operated by the Bureau of Prisons, and federal firefighters risking their lives to protect lives and property. It also covers Members of this body and their staff.

For example, following the January 8th tragic shooting in Tucson, Arizona, which killed 6 and injured 13, Congresswoman GABBY GIFFORDS began receiving medical care and intensive rehabilitation services covered by FECA. This law also covers her staff.

As we examined reforms, the Committee was guided by three key principles embedded in the law:

First, workers and their families should be no better off, and no worse off, than if the worker had not been injured.

Second, all federal civilian workers, regardless of the branch of government in which they are employed, should be covered under the same benefit structure.

Finally, workers are entitled to be fairly compensated in a timely manner, with benefits administered in a non-adversarial manner.

As the committee worked in a bipartisan manner to update the law, there were immediate areas of agreement. Specifically,

This bill increases maximum benefits for funeral expenses and facial disfigurement, both of which haven't been raised since 1949.

H.R. 2465 clarifies that injuries caused by acts of terrorism are covered.

The bill expands the pool of medical providers and expands their authority to certify traumatic injuries for purposes of authorizing claims for continuation of pay. The added providers include physician assistants and advanced practice nurses, such as nurse practi-

tioners, consistent with the scope of practice authorized by state law.

The bill includes program integrity improvements that were recommended by the Department of Labor's Inspector General and the Government Accountability Office. For example, the Department of Labor will have authority to access a claimant's Social Security earnings information to track whether the claimant is receiving prohibited payments.

The bill addresses the difficulty in filing workers' compensation claims for federal employees injured in "zones of armed conflict" by extending "continuation of pay" for traumatic injury from 45 days to 135 days.

The Committee received other reform proposals from the Department of Labor at a May 12, 2011 Subcommittee hearing, but there was insufficient evidence to support adoption of these changes, and the hearing revealed that further detailed study was needed to ensure there were not unintended effects.

We note with some concern that the Senate has reported legislation modeled after the Department of Labor's proposal which would reduce benefits for permanently injured workers with dependents, cut benefits for permanently injured workers when they reach retirement age, and slash benefits for survivors of workers killed on the job.

As previously mentioned, workers and their families should be no better off, nor worse off, because of a disabling injury or death caused by while in service to the federal government. Members of Congress must be assured that reform proposals do not lead to inequitable outcomes, particularly in light of the fact that FECA is an exclusive remedy.

To assess the impact of DOL's other proposals, the Education and Workforce Committee has agreed on a bipartisan basis to ask GAO to evaluate the Administration's additional proposed reforms. This approach is consistent with the recommendation of the Inspector General, who has urged careful consideration before Congress changes the structure of benefits to ensure that injured workers are treated fairly. Before Congress acts, it is important that we take great care to ensure that further reforms are fair to taxpayers and injured workers.

Once GAO completes its work, we will analyze their findings. At that time I believe we should also examine whether Congress can generate savings from measures to further reduce work-related injuries and illnesses and to better facilitate the re-employment of injured workers.

I am encouraged we have advanced bipartisan bill to improve the program and deliver savings to taxpayers and the Postal Service.

I want to thank Chairman KLINE, Chairman WALBERG, Senior Democratic Member WOOLSEY for their cooperation and efforts in developing this legislation.

Attached to this statement are letters of support for this bill from the Federal Law Enforcement Officers Association, the National Treasury Employees Union, the American College of Occupational and Environmental Medicine, the National Association of Letter Carriers, and the Workers' Injury Law and Advocacy Group.

FEDERAL LAW ENFORCEMENT
OFFICERS ASSOCIATION,
Washington, DC, July 18, 2011.

Hon. JOHN KLINE,
Chairman, Committee on Education and the
Workforce, House of Representatives, Wash-
ington, DC.

Hon. GEORGE MILLER,
Ranking Member, Committee on Education and
the Workforce, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN AND RANKING MEMBER MILLER: I am writing on behalf of the 26,000 members of the Federal Law Enforcement Officers Association (FLEOA), to express our support for H.R. 2465, the "Federal Workers' Compensation Modernization and Improvement Act." Our organization, has long worked to address major flaws with the Federal Employees' Compensation Act (FECA) system, and we appreciate your efforts to advance these common sense reforms.

On July 21, 2010, I testified before the House Subcommittee on the Federal Workforce and highlighted situations in which federal law enforcement officers injured in the line of duty were made worse by the FECA-Office of Workers' Compensation Program (OWCP) system. One of those officers—Special Agent Mike Vaiani, who was injured in the September 11th terrorist attacks in New York City—summed it up best: "I would rather run back into the tower while it's on fire than have to deal with the Department of Labor." To their credit, after the hearing both the Directors of the Federal Employees Compensation Program and OWCP met with FLEOA and agreed to establish traumatic care nurses for law enforcement injuries and a law enforcement officer Ombudsman in each OWCP district.

Despite this positive development more work is still needed, and FLEOA applauds this legislation which the Education and the Workforce Committee unanimously approved last week. This bill is a positive step towards addressing many of the underlying issues with FECA that prevent injured federal law enforcement officers from receiving responsive care. Specifically, FLEOA fully supports the ability to allow physician assistants or advanced practice nurses to provide certifications of traumatic injury and related disability; the extension of compensation for death and disability for individuals employed outside the United States to include death or disability caused by terrorist attack; and providing additional compensation for funeral expenses and for injuries that lead to facial disfigurement.

Further, FLEOA fully supports the provisions of your bill to extend continuation of pay (COP) for traumatic injuries sustained in a "Zone of Armed Conflict" to 135 days. On this particular point, FLEOA has long advocated for increasing the COP time frame. For those officers assaulted by a suspect, exposed to a toxic substance, or shot or stabbed, or involved in an explosive blast while enforcing the law, this time frame would better allow for a proper evaluation to determine if a return to work will be possible. We would therefore request that due to the often traumatic nature of the injuries incurred, that you consider including all Federal law enforcement officers under this extended COP period.

On behalf of the membership of the Federal Law Enforcement Officers Association, thank you for your efforts on this important legislation and for taking the steps to bring these long overdue reforms to FECA. Our organization stands ready to work with the Committee on further common sense reforms and to include federal law enforcement offi-

cers in the extended COP provision of this bill.

Sincerely,

JON ADLER,
National President.

THE NATIONAL TREASURY
EMPLOYEES UNION,
Washington, DC, July 19, 2011.

Hon. JOHN P. KLINE, Chairman,
Hon. GEORGE MILLER, Ranking Member,
Committee on Education and the Workforce,
House of Representatives, Washington, DC.

DEAR CHAIRMAN KLINE AND RANKING MEMBER MILLER: One of the most important programs for federal workers is the Federal Employees Compensation Act (FECA). This program provides federal employees with workers' compensation coverage for injuries and diseases sustained while performing their duties. The program seeks to provide adequate benefits to injured federal workers while at the same time limiting the government's liability strictly to workers' compensation payments. Payments are to be prompt and predetermined to provide benefits while relieving employees and agencies from uncertainty over the outcome of court cases and to eliminate costly litigation. It was 100 years ago this year that the State of Wisconsin enacted the first Workers' Compensation law. Five years later, federal employees were covered by the passage of the Kern-McGillicuddy Act (FECA). Workers' compensation is America's oldest social insurance program and one that is invaluable for covered workers.

The National Treasury Employees Union (NTEU), which represents 150,000 federal employees in 31 different agencies, is pleased the committee has reported H.R. 2465, a bipartisan bill to make certain improvements, reforms, efficiencies, and modernizations of the program. NTEU hopes the House will give speedy and favorable consideration to this legislation. We are urging all House members to vote "YES" on this bipartisan bill.

The bill makes several benefit improvements. It would increase the amount payable for funeral expenses to a maximum of \$6,000 and index it to inflation for the future. Currently, the benefit is \$800, the same amount it has been since 1949. It would increase the maximum award for severe disfigurement of the face, head, or neck from \$3,500 to \$50,000. This amount also has not been increased since 1949 and like funeral expenses, the bill would index it to inflation. It eliminates a provision in current law that limits benefits for facial disfigurement to only those who directly deal with the public as part of their job. This is a very harsh provision that should have been repealed long ago.

The bill gives certain health care professionals such as physician assistants and nurse practitioners greater ability to treat and certify disabled employees under FECA. This has been a particular concern for federal employees in rural areas and working in war zones where they do not have the access to medical doctors.

The waste of funds through fraud or abuse is neither in the interest of taxpayers nor of labor unions such as NTEU who advocate for legitimate FECA claimants. That is why I suggested to the committee that it include a provision allowing the matching of FECA claims with Social Security earnings information in order to detect fraud. NTEU thanks the committee members for the inclusion of this provision in the bill.

NTEU appreciates the bipartisan committee leadership in advancing this bill, and I thank you for your consideration of our views in this process.

Sincerely,

COLLEEN M. KELLEY,
National President.

AMERICAN COLLEGE OF OCCUPA-
TIONAL AND ENVIRONMENTAL MED-
ICINE,

August 31, 2011.

Hon. JOHN KLINE,
Chairman, Committee on Education and the
Workforce, House of Representatives, Wash-
ington, DC.

Hon. GEORGE MILLER,
Ranking Member, Committee on Education and
the Workforce, House of Representatives,
Washington, DC.

DEAR SIR: I am writing on behalf of the American College of Occupational and Environmental Medicine (ACOEM) to express our support for H.R. 2465, the Federal Workers' Compensation Modernization and Improvement Act. Specifically, we support the provisions in the bill that update the Federal Employees Compensation Act (FECA) to allow for reimbursement of certain services provided by a physician assistant (PA) or nurse practitioner (NP).

ACOEM represents more than 4,500 physicians and other health care professionals specializing in the field of occupational and environmental medicine (OEM). ACOEM members are knowledgeable and capable of treating job-related injuries and diseases, recognizing and resolving workplace hazards, instituting rehabilitation methods, and providing well-managed care.

Physician assistants and nurse practitioners are health care professionals licensed to practice medicine with physician supervision and are an integral part of the occupational health team in the occupational medicine clinics. They work with the supervising physician to provide quality medical care to workers. While most private and public insurance plans recognize PAs and NPs as covered providers for purposes of reimbursement, FECA does not. Medical care provided by the PA or NP is not included in FECA's definition of "medical, surgical, and hospital services and supplies," and claims signed by a NP or PA are denied. Unnecessary restrictions on the ability of PAs and NPs to diagnose and treat injuries and diseases within the scope of their practice, as defined by state law, limits the ability of the occupational medicine clinic to provide access to care in a timely and efficient manner. Those instances where direct physician supervision may be necessary, such as a complex medical issue, can be addressed in the regulations to be prescribed by the Secretary of Labor.

Thank you for your consideration of our comments on H.R. 2465.

Sincerely,

T. WARNER HUDSON,
President.

WORKERS' INJURY LAW
AND ADVOCACY GROUP,
July 20, 2011.

JOHN KLINE,
Chairman, Committee on Education and the
Workforce, House of Representatives, Wash-
ington, DC.

GEORGE MILLER,
Ranking Member, Committee on Education and
the Workforce, House of Representatives,
Washington, DC.

DEAR CHAIRMAN KLINE AND RANKING MEMBER MILLER: The Workers' Injury Law and Advocacy Group (WILG) is writing in support of the enactment of H.R. 2465, the Federal Workers' Compensation Modernization and Improvement Act, a bill that will modernize and reform a federal program that has not been significantly updated in 40 years.

The bill would provide improved protection for federal workers by updating benefit levels and insuring the use of best practices in medical treatment, while at the same time, adopting proposals that will promote more efficient use of federal dollars.

We also support the committee's decision to defer action on more controversial measures until the GAO conduct-het a comprehensive review of those proposals.

We thank you again for your leadership on this issue and your efforts to protect the rights of injured federal employees.

Sincerely,

ANDREW J. REINHARDT,
President.
JENNIFER L. COMER,
Executive Director.

NATIONAL ASSOCIATION OF
LETTER CARRIERS,
Washington, DC, November 22, 2011.

COMMITTEE ON EDUCATION AND THE WORK-
FORCE,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN KLINE AND RANKING MEM-
BER MILLER: I write on behalf of the nearly
300,000 members of the National Association
of Letter Carriers (NALC) to express our sup-
port for the Federal Workers' Compensation
Modernization and Improvement Act of 2011
(H.R. 2465) as the House considers this bill in
the coming weeks.

This bipartisan legislation makes several
sensible benefit improvements to the Federal
Employees' Compensation Act (FECA), while
maintaining the basic benefits paid to em-
ployees who suffer a debilitating injury or
illness as a result of their public service. The
bill would increase the amount payable for
funeral expenses from \$800 to a more reason-
able \$6,000. It also increases the maximum
compensation to employees for serious dis-
figurement of the head, neck or face to
\$50,000 from a long-outdated \$3,500.

H.R. 2465 is a positive step towards fully
addressing the many underlying issues with
FECA. We would like to express our appre-
ciation for your concern demonstrated to-
wards federal and postal workers injured on
the job in drafting this bill. Our organization
urges the House to give speedy and favorable
consideration to this bill, and is prepared to
work with the committee on further com-
mon-sense FECA reforms.

Sincerely,

FREDRIC V. ROLANDO,
President.

The SPEAKER pro tempore. The
question is on the motion offered by
the gentleman from Michigan (Mr.
WALBERG) that the House suspend the
rules and pass the bill, H.R. 2465, as
amended.

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

A motion to reconsider was laid on
the table.

RECESS

The SPEAKER pro tempore. Pursuant
to clause 12(a) of rule I, the Chair
declares the House in recess until ap-
proximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 3 min-
utes p.m.), the House stood in recess
until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House
was called to order by the Speaker pro
tempore (Mr. CHAFFETZ) at 6 o'clock
and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following
order:

H.R. 3012, de novo;

H.R. 2192, by the yeas and nays;

H.R. 1801, by the yeas and nays.

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

FAIRNESS FOR HIGH-SKILLED IMMIGRANTS ACT OF 2011

The SPEAKER pro tempore. The un-
finished business is the question on
suspending the rules and passing the
bill (H.R. 3012) to amend the Immigra-
tion and Nationality Act to eliminate
the per-country numerical limitation
for employment-based immigrants, to
increase the per-country numerical
limitation for family-sponsored immi-
grants, and for other purposes, as
amended.

The Clerk read the title of the bill.

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

The question was taken.

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

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

The yeas and nays were ordered.

The vote was taken by electronic de-
vice, and there were—yeas 389, nays 15,
not voting 29, as follows:

[Roll No. 860]

YEAS—389

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

NAYS—15

Burgess	Hunter	McCotter
Burton (IN)	Jones	McIntyre
DesJarlais	King (IA)	Posey
Duncan (TN)	Kissell	Webster
Franks (AZ)	Marchant	Westmoreland

NOT VOTING—29

Bachmann	Diaz-Balart	Noem
Blackburn	Dreier	Paul
Bono Mack	Fortenberry	Pence
Broun (GA)	Giffords	Platts
Campbell	Gonzalez	Rokita
Cantor	Gutierrez	Ruppersberger
Carter	Hinchev	Rush
Costa	Insee	Schilling
Costello	Mack	Sutton
Deutch	Miller (FL)	

□ 1856

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL GUARD AND RESERVIST DEBT RELIEF EXTENSION ACT OF 2011

The SPEAKER pro tempore (Mr. WEST). The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2192) to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 1, not voting 25, as follows:

[Roll No. 861]

YEAS—407

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

Cravaack	Hurt	Owens
Crawford	Israel	Palazzo
Crenshaw	Issa	Pallone
Critz	Jackson (IL)	Pascrell
Crowley	Jackson Lee	Pastor (AZ)
Cuellar	(TX)	Paulsen
Culberson	Jenkins	Payne
Cummings	Johnson (GA)	Pearce
Davis (CA)	Johnson (IL)	Pelosi
Davis (IL)	Johnson (OH)	Perlmutter
Davis (KY)	Johnson, E. B.	Peters
DeFazio	Johnson, Sam	Peterson
DeGette	Jones	Petri
DeLauro	Jordan	Pingree (ME)
Denham	Kaptur	Pitts
Dent	Keating	Platts
DesJarlais	Kelly	Poe (TX)
Dicks	Kildee	Polis
Dingell	Kind	Pompeo
Doggett	King (IA)	Posey
Dold	King (NY)	Price (GA)
Donnelly (IN)	Kingston	Price (NC)
Doyle	Kinzinger (IL)	Quayle
Duffy	Kissell	Quigley
Duncan (SC)	Kline	Rahall
Duncan (TN)	Kucinich	Rangel
Edwards	Labrador	Reed
Ellison	Lamborn	Rehberg
Ellmers	Lance	Reichert
Emerson	Landry	Renacci
Engel	Langevin	Reyes
Eshoo	Lankford	Ribble
Farenthold	Larsen (WA)	Richardson
Farr	Larson (CT)	Richmond
Fattah	Latham	Rigell
Finer	LaTourette	Rivera
Fincher	Latta	Roby
Fitzpatrick	Lee (CA)	Roe (TN)
Flake	Levin	Rogers (AL)
Fleischmann	Lewis (CA)	Rogers (KY)
Fleming	Lewis (GA)	Rogers (MI)
Flores	Lipinski	Rohrabacher
Forbes	LoBiondo	Rooney
Foxx	Loebback	Ros-Lehtinen
Frank (MA)	Lofgren, Zoe	Roskam
Franks (AZ)	Long	Ross (AR)
Frelinghuysen	Lowey	Ross (FL)
Fudge	Lucas	Rothman (NJ)
Gallegly	Luetkemeyer	Roybal-Allard
Garamendi	Luján	Royce
Gardner	Lummis	Runyan
Garrett	Lungren, Daniel	Ruppersberger
Gerlach	E.	Ryan (OH)
Gibbs	Lynch	Ryan (WI)
Gibson	Maloney	Sánchez, Linda
Gingrey (GA)	Manzullo	T.
Gohmert	Marchant	Sanchez, Loretta
Goodlatte	Marino	Sarbanes
Gosar	Markey	Scalise
Gowdy	Matheson	Schakowsky
Granger	Matsui	Schiff
Graves (GA)	McCarthy (CA)	Schmidt
Graves (MO)	McCarthy (NY)	Schock
Green, Al	McCauley	Schrader
Green, Gene	McClintock	Schwartz
Griffin (AR)	McCollum	Schweikert
Griffith (VA)	McCotter	Scott (SC)
Grijalva	McDermott	Scott (VA)
Grimm	McGovern	Scott, Austin
Guinta	McHenry	Scott, David
Guthrie	McIntyre	Sensenbrenner
Hahn	McKeon	Serrano
Hall	McKinley	Sessions
Hanabusa	McMorris	Sewell
Hanna	Rodgers	Sherman
Harper	McNeerney	Shimkus
Harris	Meehan	Shuler
Hartzler	Meeks	Shuster
Hastings (FL)	Mica	Simpson
Hastings (WA)	Michaud	Sires
Hayworth	Miller (MI)	Slaughter
Heck	Miller (NC)	Smith (NE)
Heinrich	Miller, Gary	Smith (NJ)
Hensarling	Miller, George	Smith (TX)
Herger	Moore	Smith (WA)
Herrera Beutler	Moran	Southerland
Higgins	Mulvaney	Speier
Himes	Murphy (CT)	Stark
Hinojosa	Murphy (PA)	Stearns
Hirono	Murryck	Stivers
Huelskamp	Nadler	Stutzman
Huizenga (MI)	Napolitano	Sullivan
Hultgren	Neal	Sutton
Hunter	Neugebauer	Terry
	Noyes	Thompson (CA)
	Huelskamp	Thompson (MS)
	Huizenga (MI)	Thompson (PA)
	Hultgren	Thornberry
	Hunter	Tiberi

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

NAYS—1

Amash
NOT VOTING—25

Bachmann	Diaz-Balart	Miller (FL)
Blackburn	Dreier	Noem
Bono Mack	Fortenberry	Paul
Broun (GA)	Giffords	Pence
Campbell	Gonzalez	Rokita
Carter	Gutierrez	Rush
Costa	Hinchev	Schilling
Costello	Insee	
Deutch	Mack	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Acting CHAIR (during the vote). There are 2 minutes remaining.

□ 1904

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RISK-BASED SECURITY SCREENING FOR MEMBERS OF THE ARMED FORCES ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1801) to amend title 49, United States Code, to provide for expedited security screenings for members of the Armed Forces, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 0, not voting 29, as follows:

[Roll No. 862]

YEAS—404

Ackerman	Berman	Burton (IN)
Adams	Biggert	Butterfield
Aderholt	Bilbray	Calvert
Akin	Bilirakis	Camp
Alexander	Bishop (GA)	Canseco
Altmire	Bishop (NY)	Cantor
Amash	Bishop (UT)	Capito
Amodei	Black	Capps
Andrews	Blumenauer	Capuano
Austria	Bonner	Carnahan
Baca	Boren	Carney
Bachus	Boswell	Cassidy
Baldwin	Boustany	Castor (FL)
Barletta	Brady (PA)	Chabot
Barrow	Brady (TX)	Chaffetz
Bartlett	Braley (IA)	Chandler
Barton (TX)	Brooks	Chu
Bass (NH)	Brown (FL)	Cicilline
Becerra	Buchanan	Clarke (MI)
Benishek	Bucshon	Clarke (NY)
Berg	Buerkle	Clay
Berkley	Burgess	Cleaver

Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxo
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Henger
Herrera Beutler
Higgins
Himes
Hinojosa

Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb
Loeb
Lofgren, Zoe
Long
Lowe
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
Hall
McKinley
McMorris
Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)

Myrick
Nadler
Napolitano
Neal
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schmidt
Schock
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
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 (NY)
Turner (OH)

Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
West

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

Branch analyst from February to April of 2011, providing in-depth analysis of Libyan targets. During this time he provided over 25 percent of the electronic target folders written by the United States Africa Command and expertly managed the classification, downgrading, and dissemination of over 248 targets.

Additionally, as a Remote Terminal Security Officer, Seaman Schmalz managed new accounts for 15 temporarily assigned duty personnel, allowing them to provide immediate support for the mission.

Seaman Schmalz graduated from Montrose High School in Montrose, Colorado, in 2009 before enlisting in the United States Navy. For his critical contributions to the success of Operation Odyssey Dawn, he has been presented with the Joint Service Achievement Medal and is an example to the citizens of Colorado and to the United States of America.

Mr. Speaker, it is an honor to recognize Intelligence Specialist Seaman Anthony T. Schmalz. His courage and selfless efforts on behalf of our country are worthy of our highest respect.

UNIVERSITY OF HOUSTON COUGARS

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

Ms. JACKSON LEE of Texas. Mr. Speaker, what I like about the University of Houston is, one, many of their campuses are in the 18th Congressional District, but they believe that a university, as they seek tier one status, is best when they support academic excellence and, of course, athletic excellence.

So I am very pleased today to show this picture of UH students standing in line for the championship game, that the Cougars have managed to have a 12-0 season and now are the Conference USA West Division champions and will play their championship game at Robertson Stadium with one of their opponents.

We're excited about Cougars. We're Cougar Red. And we thank Coach Kevin Sumlin for not being interested about where he goes next year but is focused on the kids and the championship.

Coach Kevin, you are the best.

To the leadership and academic leadership of the University of Houston, to all of the students, I want to say to you on the floor of the House, go Cougars. We're all red about this. We're excited in the city of Houston for a fine academic institution that cares about their students, that believes in the integrity of the athletic department, and is ready to have outreach to young people. They are going to play on Saturday.

Go Cougars. It's going to be a great day.

NOT VOTING—29

Bachmann
Bass (CA)
Blackburn
Bono Mack
Broun (GA)
Campbell
Cardoza
Carson (IN)
Carter
Costa

Costello
Deutch
Diaz-Balart
Dreier
Giffords
Gonzalez
Goodlatte
Gutierrez
Hinchee
Inslee

Mack
Miller (FL)
Noem
Paul
Pence
Rokita
Rush
Schilling
Serrano

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1911

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GOODLATTE. Mr. Speaker, on rollcall No. 862 I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House Chamber today. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 860, 861, and 862.

THE JOURNAL

The SPEAKER pro tempore (Mr. SCOTT of South Carolina). Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

NAVY INTELLIGENCE SPECIALIST SEAMAN ANTHONY T. SCHMALZ

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

Mr. TIPTON. Mr. Speaker, I rise today to honor Navy Intelligence Specialist Seaman Anthony T. Schmalz, who serves our country with great honor and pride. Seaman Schmalz has been awarded the Joint Service Achievement Medal for his meritorious achievements during Operation Odyssey Dawn.

Seaman Schmalz served as a United States Africa Command Targets

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair and not to a viewing audience.

NATIONAL ALZHEIMER'S DISEASE AWARENESS MONTH

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

Mr. PAULSEN. Mr. Speaker, November is National Alzheimer's Disease Awareness Month. And as this month comes to a close, I want to draw attention to H.R. 1897, the Alzheimer's Breakthrough Act.

With over 5 million Americans suffering from this degenerative disease of the brain, Alzheimer's is the sixth-leading cause of death in the United States, and it's important that we find a cure, and work to find a cure, to ease the suffering of those who are affected as well as their families.

Mr. Speaker, the Alzheimer's Breakthrough Act would encourage the development of public-private partnerships with universities, pharmaceutical companies, biotech firms, and help them pursue the development of Alzheimer's treatments.

As a cosponsor of this legislation, the Alzheimer's Breakthrough Act, I do ask my colleagues, whether you have a loved one affected by this disease or not, to sign on as a cosponsor of this legislation so we can find a cure to this terrible disease.

AMERICAN EXCEPTIONALISM

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

Mr. WOODALL. We have just gotten back from Thanksgiving, a uniquely American holiday. We're grateful for all of the blessings that we have, blessings that come from God the Father and blessings that come from having won the birth lottery and being born an American.

As I watch the challenges that are going on around the globe, Mr. Speaker—I look at the challenges in Europe, I look at the challenges in Africa, I look at the challenges in Asia—we need to be proud of American exceptionalism. We need to focus on those things that exist here and here alone. Mr. Speaker, in the coming weeks with the challenges that we are going to face, let us not look to nations around the world and see how they are doing it. Let's look to those values and principles that have made this country great for over 200 years, and let's double down on those.

□ 1920

JOBS FOR AMERICANS

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, it's good to be back, and I hope all of my colleagues had as enjoyable a Thanksgiving as I did with my family and with our constituents back in our districts.

We have much to be thankful for. After all, this is America, and this has always been the place of dreams. This is America. It's always been the place where people have found opportunity; where, whatever they wanted to do, they could achieve it; and it's still that America today.

But it's up to us, in the third year of this recession, to restore the American Dream, and there are ways that we can do it. And tonight, together with my colleagues who will soon be joining me, we will talk about various ways in which the Democrats in this House will and have made numerous proposals to restore the American Dream.

I was out in the district for five of the days that we were gone, talking to people. In fact, one fellow who has a book binding company—a man who's 85 years old and is about to retire and turn that company over to his employees—was talking about the enormous strength of this Nation, and he was sharing the story of himself and his employees and the way in which they came here. And many struggled from very bad situations in other countries, but they came here with optimism. They came here with a true belief that in America you can make it, that if you follow the rules, if you work hard, you can make it. You can have a good life. You can take care of your family.

Unfortunately, for all too many Americans, that's not the case today. So restoring the American Dream is our task, and we can do it.

The President, more than 2 months ago, proposed the American Jobs Act, a proposal that would put 2 to 3 million Americans back to work immediately. And tonight, on the other side of this Nation's Capitol, the U.S. Senate is debating a portion of that American Jobs Act, a portion of it that is a very, very significant tax cut for men and women that are working. Their Social Security payments would be reduced by 50 percent. No longer would they pay 6.2 percent of their wages into the Social Security fund. They would pay 3.1 percent—and for their employers, the same reduction—providing a very powerful incentive for individuals to have money in their pockets, about \$1,500 a year, money in their pockets so that they could participate in buying gifts for their children. As we look to Christmas, we know there are many, many Americans that are not going to be able to do that.

Mr. Speaker, it's time for us in this House to follow the lead of the President and to give every American worker, 98 percent of Americans, a very significant tax reduction, \$1,500, by reducing that Social Security tax. And for

their employers, the same. If their employers are up to \$50 million of payroll, they can reduce, by 50 percent, their Social Security tax so that that employer has more money to hire people. That debate is going on in the U.S. Senate today. Unfortunately, here in this House, we've not been able to even take up that issue. We should, because it's part of what we must do to put Americans back to work, to give them a break.

Joining me in this discussion tonight as we talk about restoring the American Dream and about the things that we can do to make that happen is my colleague from the great State of New York (Mr. TONKO). We have often been here. We call ourselves the East-West Team.

It is good to see you back. I hope you had as good a Thanksgiving as I did, and I'm sure you worked as hard in your district as I did during those days. Please share with us, and welcome back.

Mr. TONKO. Thank you, Representative GARAMENDI, and thank you for leading us in an hour of discussion, of dialogue, that is most critical to the economic viability, to the economic comeback of America's middle class.

You talk about some of these incentives that would be addressed through a payroll tax deduction. It's all about empowering our middle class, enhancing their purchasing power, enabling us to enhance that demand out there for products that then obviously translates into job growth; because with more demand upon manufacturers in this country, with more consumer confidence, with absolute increase in purchasing power, there will be a positive outcome.

There's no denying that unemployment is driving the deficit; and if we can turn that around, if we can invest in ways that enhance the middle class, that's good for all strata, all income strata in this Nation. And what's been lost in the logic here for the majority is that the empowerment of the middle class stands to produce gains for everybody, and we saw what happened in the buildup before our entry here into the House.

In the period of the recession, it was all about borrowing, totally, the money that was necessary to spend on a tax cut for millionaires and billionaires. And some would suggest those are the job creators. But what happened was we realized 8.2 million jobs lost, and so that didn't work.

We ought not go back and revisit that formula, because it was not a formula for success. What we need here is to bring about the long overdue empowerment of the middle class. And it is working families across this country that need that assistance today; and, by the way, it works in everybody's favor.

So that's what we're promoting, and it's good to start off with that discussion; because as we move forward, investments are what it's about: investing our way to prosperity, investing

our way to opportunity, investing our way to a stronger tomorrow for all Americans. It's not going to come by cutting into situations that relieve the liability, the responsibility of those who have been most profitable here. That didn't work, and that is not going to be the formula for a comeback for most Americans.

What we need is to be sensitive to the investments in education, higher education, in sounder tax policy, reforms of tax policy, and certainly investment in research because, as we invest in research, that equals jobs, and that's still the highest priority of America's general public out there. We need jobs, and the dignity of work is what ought to be front and center for the work that we do here in public policy format or in resource advocacy so as to go forward and herald the need of the middle class.

Mr. GARAMENDI. Thank you so much.

The experiences that we have as we return to our districts and talk to our constituents and share with our families, these are the stories of life. These are the stories of real Americans that are out there. Not that we're not real. We've got a very special task as their Representatives to represent them here, and they do want jobs. They want to go back to work. We know that many of them are unable to find jobs.

In American Jobs Act, in addition to the tax issues I just talked about—and I must say we actually got something done just before the Thanksgiving recess—there was another provision, and that was for the veterans. This was part of the President's proposal that actually did become law. What he wanted to do—and we agreed with him—was to give veterans, those men and women that are out there fighting for this country in Iraq and in Afghanistan and even way back into the Vietnam War and the first Gulf War, a chance for a job. There's a very special tax provision that's totally paid for, not borrowed, that we actually voted out of here so that employers got a tax credit, which is a reduction in their taxes, for every veteran they hired—\$5,600 for an unemployed veteran or \$9,600 for a disabled veteran. I'm very, very pleased that we were able to do that for the veterans.

□ 1930

That's one very important slice of the American public that is facing unemployment; but there are many, many more. And if I can just pick up for a second on a couple of words you said; you talked about investment. In the American Jobs Act, there is a very, very important investment, and you mentioned it. It's the education investment. The President proposed that we spend about \$30 billion to keep teachers in the classroom now so that our kids would be able to continue to learn. That's the future; and if they miss a year of learning, they're going to be behind the rest of their lives. And so he

proposed that. It's still out there. It's open, and it hasn't had a chance to come forward yet. We'll see, maybe we can get that one done. That's a critical investment in our children. What's more important than our children.

Mr. TONKO. Representative GARAMENDI, as you talk about the loss in any given year where a student may lose the opportunity in the classroom because of these cuts that are significant to education, that is one measurement; but let me suggest another. We see aggressive investment going on around the world in emerging powers out there, nations competing with us in that global marketplace on clean energy, innovation, an ideas economy. An ideas economy is a robust opportunity for a sophisticated Nation like ours; but it requires commitment, commitment to investment, investment in education. We take that intellectual capacity, and we make it work.

We did that in the space race of the 1960s. President Kennedy, a rather youthful President in his time, offered a challenge to America, offered a challenge in a way that enabled us to invest in research, that enabled us to win the global race in space. That was an unleashing of technology in all told sectors of the economy and from every perspective of quality of life that was enhanced by the investments that were made.

Mr. GARAMENDI. Mr. TONKO, you were talking about the need for investment; and, indeed, in the area of education and research, critical functions, I do want to stay with that subject for a while.

Our colleague from the great State of Ohio, Ms. BETTY SUTTON, has joined us. Thank you very much for being with us this evening. I know you, too, had a family and a constituency to work with this last week, so please share with us your thoughts.

Ms. SUTTON. I thank the gentleman. Representative GARAMENDI, you have done a tremendous job in leading the way and showing the American people, because we all know that things don't have to be the way that they are. We all know that we can invest in the things that have always made our country strong, things like education, that we know not only strengthens the individual but is key to the success of our future, investing in policies that will enable us to make it in America.

And when we talk about make it in America, Representative GARAMENDI and Representative TONKO, I know that we are often talking about manufacturing. And coming from Ohio, manufacturing of course is not just a part of our past and our history. It is a strong part of what is going to make us successful in the future.

I will tell you, I'm excited because in the coming days I'll be introducing a number of bills that are all related to how we can strengthen U.S. manufacturing and bolster U.S. manufacturing for our workers and our productivity right here in the United States. So I'm

grateful to be down here with you. I can just tell you, I went out and talked to our folks and there is a growing belief that there is a better way. There's a comprehensive understanding that things have not been fair, that the deck has been stacked, and that there are still those here who are trying to protect the wealthiest and the most privileged at the expense of the others. And that's why I'm so grateful to have the chance to be here and fight alongside you and Representative TONKO and others, like Representative JACKSON LEE from Texas who has just joined us.

In the last election, we heard over and over again the refrain that people don't want a government on their back. And I agree, and I know you do, too, that people don't want a government on their back. But they do want a government on their side, and that's what we're here to make sure that they get, because that is not what they're getting with the Republican legislature as it exists today.

So carry on, Representative GARAMENDI, and count me in as somebody who supports those investments in education and in making it in America.

Mr. GARAMENDI. Well, indeed, you are carrying many pieces of legislation. I like your one—what was it, don't flush America down the drain—having to do with rebuilding our sanitation systems here in the United States.

Ms. SUTTON. Representative GARAMENDI, if you'll yield just a moment, the name of the bill, just to set the record very clear, is Stop American Jobs from Going Down the Drain Act. The whole point of that bill is when we are building our infrastructure, our water and sewer systems, as you point out, that really need to be built in this country, and of course it would put people to work, it would help our communities, spur our economy; and if we do it using U.S.-manufactured goods and iron and steel, which is what the bill would require, then we put even more people to work while we're strengthening our community. So it's the Stop American Jobs from Going Down the Drain Act.

Mr. GARAMENDI. I appreciate your correction of my characterization of the bill. Nonetheless, it's a great piece of legislation; and it's part of the Make It In America agenda, using our tax money, in this case to build the sanitation systems, the water systems, and requiring that that money be used to buy American-made equipment.

I have a bill that would do the same thing for solar and wind programs—wind turbines and solar, as well as for trains, buses and the like. It's our tax money; use it to buy American-made equipment. That's part of the Democratic agenda. And it works. I can give some examples a little later. I do want to thank you because there is nobody working harder in this entire Capitol building—Democrat, Republican, or the Senate—than you are in rebuilding the

manufacturing center of America, the great State of Ohio.

Now, Texas is a little far from Ohio, but you've got a few things going for you in Texas. Let me introduce SHEILA JACKSON LEE. Thank you for joining us once again.

Ms. JACKSON LEE of Texas. It is a delight to have been here with the gentlelady from Ohio. We have worked together closely, as I have with the gentleman from New York. I always want to ask him how his fair constituents are dealing. They have some serious mountains to climb, if you will, with their recent hurricane, a very unusual set of circumstances. We joined together to allow those communities to come back. Wouldn't that be a perfect investment of rebuilding infrastructure.

Mr. GARAMENDI, let me thank you for your long-standing history of putting things back together. I'm not going to call you the Humpty-Dumpty man, but recognizing that we can put America back together and make it in America. Let me share some anecdotal uniqueness to this whole question of make it in America. I hope everybody had a wonderful Thanksgiving. It's a special holiday where we find time to say thanks. I heard that the gentleman from New York might have been giving away a ham, made in America. And I know the people who received the ham were grateful for it.

I had the opportunity to work with those, we had over 800 turkeys—made in America—to be able to give to seniors and families. The joy was, of course, that it was in the giving. But more importantly, it was a product that we made from start to finish. Yes, it's food. As we went down the aisles of many grocery stores, since the highlight of that season is eating, people were buying goods in most instances that were made in America. And they bought them.

And then, of course, that famous Friday that we can now tout to be the best Friday over a number of years, certainly 2010; \$52 billion was spent by Americans in many instances on the electronic goods that were made in America. Steve Jobs is no longer with us, but he created that infrastructure of technology and software and the sophistication of pretty things that many Americans went to buy, some \$7 billion over 2010. And the studies indicated that—and that's all right to my good friends out there—that Americans were buying first for themselves those electronic items that they wanted to have for this holiday season.

□ 1940

As I begin to look at legislation to talk about jobs, I'm going to try to make the energy industry a little bit more friendly. And we'll be introducing legislation that talks about creating jobs in that industry, but working in the environmental aspect of it—fixing the coastline, for example.

As you well know, we have suffered through Hurricanes Rita, Katrina, Ike

and the deterioration of the coastline, so if somebody wants to stop us from going down the drain, I want to stop us from a disappearing coastline. I want you to have the beautiful beaches, whether it is in Alabama and Louisiana and Texas, Florida. Those coastlines have been deteriorating. We can find work. Individuals can have work in fixing the beautiful coastlines. Even in South Carolina, I know that the gentleman wants the coastline to be fixed. So there is not a lack of opportunity-to-fix work.

I just heard my good friend from Massachusetts in the Rules Committee indicate that there are bridges in the State of Massachusetts—my good friend, Mr. MCGOVERN—that are older than some States and that they need to be fixed. And that would be a sharing of the wealth to many, many different districts and States if we were to engage, as the President wanted us to do, to look at how we do the infrastructure.

But making it in America is happening. Right now, in the Carolinas, a young lady is bringing her company back from Sri Lanka, and she is using the textile industries—I don't have its full name, but it begins with "Mic"—using the textile industry to now make her product.

So I came today to say that I have hope. I'm an optimist, and many of the economists that we've been listening to—Jeffrey Sachs, for example, and Mr. Spence, who I think I heard in the last couple of days, has indicated that we worry too much about the deficit and the debt, not to ignore it but we really should be worrying about investing in America, rebuilding, make it in America, investing in infrastructure, creating jobs. And Americans will do what they did on last Friday, November 25, and they went out and they bought goods, by and large, made in America.

Let's do more of that. Let's have the incentives that they need. And, by the way, let's add the small business component to it. We had the buy from a small business on Saturday. These small businesses are in America. And if you support a small business, you support one or two or three or four employees.

So I am grateful, as I said. I'm going to do this coastline bill. I can see just persons for eons being put to work. I can see moneys going in to reduce the deficit. We'll join that with the drain, if you will, or the infrastructure for our sewage and wastewater. It comes under homeland security, by the way. We have to protect that. The infrastructure of security provides jobs as well.

I want to close on this note, which sound as if it's not tied in, but it is. It really is tied in. We have, in the Thanksgiving backdrop, was the acknowledgment—I'm not going to call it failure—by the supercommittee that they could not complete their task. Let me, on the record—I have said it in public settings—thank the colleagues

that accepted the challenge. But I want to say to my colleagues, let us not be nonoptimistic. Let us not be unhappy or disappointed or sad. Frankly, the job of the Congress is to formulate the vision going forward on behalf of the American people.

Let me tell you why I see we have been given an opportunity. Some people only talk about defense. I talk about 46 million Americans that are on SNAP. Here's our chance. We can take the works of a Jeffrey Sachs. We can take the works of Mr. Spence, who talks about infrastructure investment. We can find these long-term cuts of a trillion dollars, leaving out Medicare and Social Security and Medicaid, and we can find them in a way that talks about Bush tax cuts but has a thoughtful way of looking at tax reform, and then we can put our vision forward that includes making it in America.

My friends, we make defense products in America. I don't want to be a war promoter—I want our troops home—but I believe in military preparedness. Those are jobs. We have a year to do it. We can throw off the shackles of partisanship and thoughtfully put forward a legislative initiative which the President will not veto if there is a plan that includes deficit reduction. Don't be afraid of doing it on jobs.

So I'm willing to say we have been given an opportunity, just like my Cougars are being given an opportunity for a championship this coming weekend at the University of Houston, which will, by the way, create a lot of revenue with folks coming in from all over.

But we have been given an opportunity. And I am glad that we're here on the floor to point out that it is not the end, but it is the beginning. I simply ask there be friends on the other side of the aisle that will join us in revenue, job creation, deficit reduction, revenue, job creation. We can pass these bills. We can join the Senate. We can do the payroll tax relief for a little bit and the unemployment, but we can create jobs.

I thank the gentleman for allowing me to participate with you. I'm excited about the legislation that my colleagues have. I know I have worked with Mr. TONKO for all that he has done in the legislative initiative and, also, you. Thank you so very much.

Mr. GARAMENDI. Thank you very much. You are always on top of the issues and you're always so very, very correct. SHEILA JACKSON LEE, thank you for the enormous amount of work you have done for your constituents in the city of Houston.

You mentioned the supercommittee. We ought to spend at least a few moments on that. Everybody says it was a failure and they did not achieve the goal that was set out; however, the public needs to know that the legislation that set up the supercommittee actually reduced the deficit of the United States by \$2.1 trillion. A \$2.1

trillion reduction in the deficit in the legislation that established the supercommittee. One trillion of that is already going into place. The other \$1.1 trillion, it was the specific task of the supercommittee to try to find out if there was a better way to make the cuts, or adding revenue. They were unable to put the revenue together, but the cuts remain, and those are going to go forward.

You're quite correct, Ms. JACKSON LEE, that we do have the next 13 months, almost 14 months, to figure out a better way. Maybe it's revenue or less cuts. Maybe it's different cuts that are currently across the board in the Defense Department as well as in the discretionary funding. But we have a chance to do that. We have time to do that. It's not all lost. The deficit has been reduced. Now we need to do it in a smarter way, one that actually promotes American jobs, puts people to work, and creates more jobs and manufacturing in America.

Mr. TONKO, you come from a State that really started the great American Industrial Revolution and an area in which it actually began, the Hudson River Valley, so why don't we carry on our conversation here. You were talking about research, or take it wherever you would like to go.

Mr. TONKO. Absolutely. Let me just respond to the absolute clear focus of our friend, the gentlewoman from Texas, and for the strength of Texas. Representative JACKSON LEE is constantly talking about the opportunities to make it in America, but she cited, also, the flood damage in my district, in the Mohawk Valley, the Schoharie Valley of upstate New York.

Sometimes we will sit around and try to tout the effect of infrastructure for our job growth. There are different ways to express the economic development quotient related to infrastructure, the traditional roads and bridges, but then broadband and our grid system for our electric utilities, what role does it play?

□ 1950

Well, sometimes the best expression is done when that is taken from you. And when roads and bridges were washed away, we saw immediately what the effect was on the regional economy—and therefore the State economy—and then we're all connected one to another so that the national economy hurts through the ravages of flood waters that impacted this district, some would say with 500-year storm impact.

What did that mean? It meant that you couldn't haul milk that was processed, produced on these farms; and you could not ship products being manufactured. It stopped the economic viability of a district and of a region. So it's important for us to look at those bridges that measure in deficient form. We need to make certain that we have state-of-the-art infrastructure and broadband. We began to talk about this

with the space race of the sixties; we unleashed untold amounts of investment in technology that enabled us to stretch opportunity here. Think of the rotary phone that's now moved all the way up to what is a changing telephone by the week. And that all happened because of an investment in the intellect of this Nation.

So the intellectual capacity of this Nation has been an inspiration to not only this country but to folks around the world where the quality of life was raised simply by the inventive qualities of American workers. And so that's what we're calling for here. The Democrats of the House of Representatives believe in investing in the worker and in research. Research equals jobs, and research equals opportunities. The intellectual capacity that was developed here, I'm told by the most recent former energy minister of Denmark, influenced the turnaround of thinking in Denmark where they transitioned their economy, created energy-innovative outcomes, all inspired by patents coming from the United States of America. So we have that intellect.

We talk about manufacturing as a base. We saw the exodus of manufacturing jobs to the millions—to the millions. We're still perched highest on the list for manufacturing jobs; but if we allow that trend where we were disinterested, paid no attention to manufacturing and agriculture, if we allow that to continue, we will sink as an economy. What we need to do is now bring the focus back to manufacturing and to agriculture. The focus was totally on the service economy, and there more narrowly to the financial services. We know what happened.

Ms. JACKSON LEE of Texas. Would the gentleman pause for just a moment.

Mr. TONKO. Absolutely.

Ms. JACKSON LEE of Texas. You're saying something that is just so inspirational, and I just want to add these two points: one, we are still the greatest and largest economic engine in the world in spite of China, in spite of Russia and in spite of India, our good friends. We're the largest, still percolating along.

Second, when we've had our difficulties in the past, there have been recessions in the fifties, post-World War II, on into our good friends both former Presidents Ford and Carter, as you well know for those who read the history books we had some moments, but the reason why we are in troubling waters that people can't seem to comprehend, they just need to read, we never had a euro.

We never had Europe in the state that it is presently in. And when the markets were troubled on Monday—it was Monday, even post—I think Monday they percolated, but when they were troubled, they were looking at Europe. And so if we get obsessed with other than what you're saying about how we can get back in the game at the peak that we want to be, we don't take

in the great picture. And that great picture is our markets are not necessarily troubled about how we're percolating on.

We need to do better. We need to create jobs. But they're international markets, and they're troubled by the euro, which I never agreed with. I would just say, let's understand that so we can do our business here in the United States and focus on the American people, tend to the markets, but go ahead and invest and realize that the markets are interrelated. We can overcome that by doing exactly what the gentleman from New York has said, make it in America.

Mr. GARAMENDI. Ms. JACKSON LEE, you've talked about the investments; you've talked about the international aspects of our economy. Mr. TONKO, you were so correct when you talk about what happens when those infrastructures are not there.

Now, in the American Jobs Act, which we ought to be working on and passing, there is \$50 billion over and above the ongoing money. This is new money, additional money, that would be immediately available to restore the coastal areas of the United States, to rebuild the infrastructure and those areas that have been hard hit by the floods of this year, to improve the 100-year-old-plus bridges in America. Those are all things that we need to move our economy.

Ms. SUTTON from Ohio talked earlier about the sanitation and water systems. Each and every one of these should be framed in such a way as to create American jobs, not just the construction jobs but the rest of the story, which is the concrete, the steel, the bolts, the pumps. All of those things that go into the infrastructure can and should be American made if we have a policy.

Now, on the floor here 3 weeks ago, we were talking about this; and our colleague from Illinois (Ms. SCHAKOWSKY) brought something to the floor that just blew me away. She brought a document that was prepared in 1788 by George Washington, and it was a manufacturing policy for America. He told Hamilton, who was then the Secretary of the Treasury, to go out and to develop eight steps for an American manufacturing policy.

So this is not new in America, folks. We need a manufacturing policy in America. We call it Make It in America. It's a tax policy, an educational policy, an infrastructure policy, and it is an international trade policy where we don't give it away, but we require fair trade—not free trade—fair trade. These are American manufacturing policies of today. Thank you, George Washington, for setting us on the course. We need to continue it.

Mr. TONKO. Absolutely. I hear in your statement the wisdom of sound planning. We need that for a government to be smart and efficient, which is the call by the general public. We want smart investment from our government. Ask any competitor out there

in the global economy. They are competing against industries that are being co-invested in by their native lands. There are co-investments with governments and their private sector, and we're moving in the other direction.

So a couple of things come to mind here. I participated this past weekend in Small Business Saturday. And the spirit I detected was a leap of faith, a sound leap of faith, by many small business leaders who said, I want to offer a service, I'm going to put my creative genius to work. I'm going to make my commitment to community a response here that's tangible.

I saw a lot of belief in the American public, a belief in the American system; and it offers a warm and fuzzy, cozy personalized relationship. People come in; they're known when they walk into the shop; they see the creative flair that's been introduced into that small business. I also see more technically savvy qualities that are engaged in the district I represent with a lot of start-ups, incubators, again, another leap of good faith but needing an investment, a co-partnering with government, especially in a very tenuous economy where there's still a lot of guesswork. We need to be there to remove some of that risk. That is so critically important.

Representative GARAMENDI, you mentioned earlier the fact that my district is that donor district to the Erie Canal/Barge Canal, which was the westward movement that triggered an industrial revolution. These mill towns that were given birth to by the canal became the epicenters of invention and innovation—manufacturing towns and mill towns that had blue collar workers coming up with tremendously clever ideas.

And for people to throw up their arms and say manufacturing then is what it was, it was our greatness, it's gone today, nothing could be farther from the truth. What is the challenge today to a sophisticated society like the American society is that while we have a number of product lines that we developed through our decades of manufacturing, the challenge to a sophisticated society is to build the products that are in demand today.

And if we believe that every product that's ever required by society has been conceived, engineered, designed and manufactured, then the story is over. But if we believe, as so many of us do believe, that we can be the wizards of those new products and we develop it by investing in ideas and investing in research, then we build those products that are now the step up, if you will.

□ 2000

That's where we are with our policy initiatives as a Democratic Caucus in the House of Representatives. Make it in America by embracing the intellectual capacity of this Nation and holding fast to innovation, entrepreneurs,

and the manufacturing of today, spun up to a new level, that's America at her greatest moment.

Mr. GARAMENDI. If I might interrupt you for just a moment. Every hour we're here we're joined by men and women who are working hard on behalf of the American people. The stenographers taking down our words here deserve a praise of thanksgiving; not that our words are so worthwhile to put into the American RECORD, but they do it, nonetheless, and I want to thank them for their good work, and for the staff behind us as we go through this hour.

Mr. TONKO. Absolutely. Let me just, if you'll suffer an interruption, or yield, please, Representative GARAMENDI, I absolutely endorse what you just said. They are devoted. They are an essential part of this body to introduce all of the statements into the annals of history, making certain that statements that might inspire the sort of progress that is required by this Nation right now—they provide an awesome, awesome task.

Mr. GARAMENDI. If I might take up, after interrupting you, some of the things that you were talking about. Down through the years, from the very earliest days of this country, there has been a joining of the government and the private sector to accomplish, really, the building of America. And it's been done in many, many ways.

I was startled and surprised and frankly, very, very happy when Ms. SCHAKOWSKY brought that document in from George Washington's administration about the establishment of industrial policy that placed the American government in synchronization with the then-new manufacturing program industries in America.

You talked about the mill towns. They didn't just happen. They happened because there was a government policy working with them, those entrepreneurs, to create these new businesses, these new jobs. And down through the centuries, more than 2½, almost 2½ now, we have been able to use this synergy, this government working with the American public, the private sector, to create this incredible country we call America and really, to create the American Dream that all of us possess or have participated in.

Today, we're in a discussion, if you will, with the American public about whether to continue that coordination of the public governments—State, local, Federal governments—working to achieve a goal in the private sector. There's a different vision out there that basically says, get out of the way. Get government away and things will go well. Eliminate all regulation, eliminate all of the programs, and let the free market do it.

It's never worked, and the proof of it is found in the first decade of this century. In the first decade of this century, that philosophy of push government aside, deregulate, reduce taxes, and get government out of the way actually created a situation of the Great

Recession and no jobs; in fact, 8 million American jobs lost.

We need to go back to the policies that actually created growth in America, the policies of Franklin Roosevelt, carried out by Truman and Eisenhower. Even Ronald Reagan and Lyndon Johnson carried out the very basic policies that, working together, we can build a great country.

Mr. TONKO. You're absolutely right. And I believe, as you just indicated, our history, our American history is replete with the soundness of government planning and policies that incorporated investments from the public sector. And it made us strong. It retained our strength. It was a sustainable outcome. And the way of the world today is other nations are doing that with their private sector co-investing with them.

And when you look at the scenario of threats to cut some very valuable programs, you know you're going to place our businesses at risk. And if there's anything I hear from my middle class that is disgruntled with Washington is that they're not against people making money. They're not against that.

They're concerned, and they're deeply upset by the undue influence that a few, a growing few, most powerful have on the process. They see it as insatiable greed. They see it as a rejection of what worked in the past, where people shared the wealth, shared by investing in America's middle class, which is that intellectual capacity, is that innovative spirit, is that potential for the next generation of jobs. And that's where our strength lies, and that's why they're upset. The undue influence has caused this insatiable greed that produces a drain on the middle class of this country and, therefore, reduces the number of jobs that we could possibly have in this Nation.

Mr. GARAMENDI. Before I turn to my colleague from Ohio (Ms. KAPTUR) who has just joined us, I want to pull up this chart. If only you had had this next to you while you just made this statement about the change in the nature of America's wealth. This chart has become, I think, rather famous—or infamous, I think, is a better word.

The blue line here is a chart that shows the growth in the wealth, the income of the top 1 percent of Americans. And down here is what the rest of Americans have had over the last 20 years or so. What we've seen is basically a flat-lining for the middle class, and certainly for the poor—no improvement, or very, very little improvement, in their situation. This is the 99 percent here. This is the 1 percent.

This is the anger that you now see on the streets of America, and it's exactly what you were talking about, Mr. TONKO, with a few, 1 percent of the American public, getting an ever increasing share of the American income and wealth, creating a bifurcated society, one with very few that are extremely wealthy, and the rest that are actually growing poorer.

With that, I'd like to turn to a woman from the great Midwest, the State of Ohio that is enduring this exact hollowing out of the American middle class.

MARCY KAPTUR, thank you so much for joining us, and thank you for years of work representing your part of what was once the great industrial strength of America. I know that you want to share with us tonight some thoughts that you shared with me earlier this day, as you went home, as you talked to the men and women in Cleveland. Please.

Ms. KAPTUR. Thank you very much, Congressman GARAMENDI, for your leadership in bringing us together so often. You are absolutely unrelenting, and that's the spirit that is America, so we thank you for your time tonight.

And Congressman TONKO of New York, your steadfast service here in representing a State that has some similar situations to Ohio's in the industrial and agricultural heartland of our country. It's really a special privilege to be here tonight with both of you.

This morning, one of my first visits was with a company in Avon Lake, Ohio, PolyOne. This is a company that makes products in America. Yes, it's a global player, but its innovation center is in Ohio. Hundreds and hundreds and hundreds and hundreds of jobs are associated with its plastic products, made both out of traditional petroleum-based inputs as well as the new carbohydrate economy that you can see developing, and it was really quite exciting.

We know that real wealth is created in our country when we make goods in America, when we make it in America. I think the problem over the last several years has been that if you travel to any city in America and you look at the tallest building, what are they? Are they the firms making things or are they merely, as I saw in Michigan recently, a gigantic bank whose headquarters is on Wall Street, a bank that just got bailed out by the American people?

I stopped my car and I looked at that building, and then I looked at the devastation of the communities around that particular part of Michigan, and I thought, what's wrong with this picture? Basically, this institution has sucked up the wealth of neighborhood after neighborhood and left rubble in its way.

They're not being held accountable. Yet I see companies like PolyOne trying to make it in a global economy with a very unfair set of trade practices—closed markets around the world, currency manipulation, intellectual property theft.

□ 2010

I look at what's happening with competitors, with competition to U.S. industry, and you have to say to those patriots who are making goods in America, we stand with you. We should

be rewarding those companies. We should be making more goods in our country.

I wanted to just add a word about the automotive industry. There were those in this Chamber that voted against the refinancing of the automotive industry. Without that industry, this country would not have a defense base, and we would not be a great industrial power. And now I see in our region of the country—I was just at Chrysler Fiat. They announced billions of dollars of investment. There's going to be over a thousand more people hired at their main production facility in Toledo, Ohio. Chrysler Jeep makes the Wrangler and the Liberty and likely vehicles that will follow on.

The feeling inside that plant of people who have given their lives to keeping America competitive and to manufacturing a label that is known throughout the world, it was a wonderful day to be there. And I was reminded, and I said very frankly, You know, there were 170 Members of Congress that didn't think you should be here and didn't think that this company should be here. And the company has paid back the loan that was made, and now we're going to have good jobs by making goods in America. So I wanted to share those experiences.

I feel bad that we have a country where certain financial firms that have, totally speculative, have brought us to this point. But I stand with those who have weathered the storm and who are now hiring and trying to move this economy back where we know it can be.

I was very proud to be a Member, as are those who are here with us tonight, to vote for that refinancing of the automotive industry and with its procurement from suppliers—whether it's plastics, whether it's glass, whether it's fibre, whether it's textiles, whatever, that's helping to lift this economy to where last week, on the day after Thanksgiving, retail sales in our country went up about 16.7 percent, I guess. It shows that people have more spending power. That's what we should be doing. We should be using our power here to lift those industries that can really make goods in our country and help recreate a strengthened middle class.

Mr. GARAMENDI. We have maybe 10 more minutes here.

You talked about the purchasing power of Americans. On January 1, unless we act, American workers will lose about \$1,500 of purchasing power. We must renew and continue the reduction in the Social Security tax that American workers are paying and businesses are paying. And by the way, it's totally paid for by those superwealthy—a 3.5 percent increase on their taxes over a million dollars a year. So it's totally paid for. It's part of the American Jobs Act.

I was just talking to the gentleman from New York, and it came about because of what you said about those

men and women that have spent their lifetime working here in America. And I want to end on this between the three of us.

We Democrats have made a promise to America. It's not a contract. It is a promise. It's a pledge. And that pledge is to protect Social Security and Medicare, two of the most fundamental American programs, both of which are at risk of being significantly modified or, in the case of Medicare, destroyed by our Republican colleagues.

I want to make it very, very clear and get the comments from my two colleagues here about our commitment to these programs.

Social Security is the bedrock foundation for every American's retirement; and given the way the stock market gyrates because of those financial institutions and the games they play, you can't count on your 401(k).

But here's the promise to America from the Democrats: you will always be able to count on Social Security. If they want to fight about it, then this is the fight we will have and we will win.

On Medicare, millions of seniors are not in poverty today and alive today because they have Medicare insurance, a fundamental American program.

Mr. TONKO.

Mr. TONKO. I think you highlight some of the major differences and disagreements that have highlighted the debate on the Hill here in Washington between the two parties. And I would suggest it's probably some of the reasons that the supercommittee could not come to consensus, because we have called upon an outcome that is fair, balanced, and bold—that we will not allow for the price tag on further continuing tax cuts for millionaires and billionaires to be paid for by cuts to Medicare. There were those who fought Social Security at its inception and have fought it for 76 years and want to deny it.

It's about making certain that there is an underpinning of support for our elderly as they grow into what is a longer life span. We have to have measures in place that enable there to be a quality of life that provides economic vitality, economic balance for those who move into their retirement years.

I think that when we look at some of the measurements of Medicare, for instance, where it's about 5 percent of the GDP, much more modest than private sector health care is to GDP, and here's a program that has worked tremendously well. Can it be made better? Absolutely. That's where we stand. Make it better. Make it more secure. Make it more sustainable.

But do not deny the masses of this country who have prospered, who have been strengthened, who were lifted by programs like Medicare and Social Security. And I am proud to serve in the caucus that, as a conference, has said we stand for keeping these programs in place, strengthening them, not denying them, which I think is a major disagreement on the Hill.

Mr. GARAMENDI. Mr. TONKO, you are absolutely correct. This is where we stand. This is where we fight.

Ms. KAPTUR.

Ms. KAPTUR. Thank you so much, Congressman GARAMENDI and Congressman TONKO.

I just wanted to say on Social Security and Medicare, I'm proud to stand with my Democratic colleagues. Social Security is an earned benefit, and it's one that belongs to the American people. We all know its power, not just to allow seniors to live a decent life in their retirement years. But also it's power to lift the economy because seniors spend, mainly on their grandchildren. And they move those dollars into the economy. You watch with that cost-of-living increase, which I'm very happy about, next year, and the fact that the Medicare offset will not be so great that seniors will have extra buying power and they will watch every penny.

I am just so proud to be a part of a tradition of the Democratic Party that has fought for Social Security and has fought for Medicare, not just for the few but for all. And we have made the country a better country as a result.

So I think it's fair to say that, yes, it is true the Republican Party has fought Social Security. Can't they find something else? I don't know what the problem is when the vast majority of the American people, I think like 99.99 percent of the American people, agree with this. I don't know what their problem is. Maybe they're not living in reality most of the time.

I am just very proud to be a part of this tradition along with my colleagues and to say to our senior citizens that next year will be a better year than this year.

My hat's off to Franklin Roosevelt and Frances Perkins and all of the people that fought back in the 1930s to make this program part of the American way of life.

Mr. GARAMENDI. And then carried on in the 1960s with Medicare.

We have much to be thankful for as Americans, don't we?

Mr. TONKO. We do.

Mr. GARAMENDI. We have much to be thankful for. We are thankful for those men and women that served here in this House over the years that brought us to where we are—the world's strongest, greatest country with the greatest opportunity. Even with all of the troubles we have today, it's still a country with great opportunity.

Mr. TONKO. Absolutely.

Mr. GARAMENDI. It's a country in which the American Dream lives, and we have the obligation to make sure that it's there for future generations.

Mr. TONKO, we're going to do a rapid 30 seconds around.

Mr. TONKO. We've had a wonderful hour of discussion, and I give thanks for the wonderful investments that have made us this strong Nation. In conclusion, if we invest in the middle

class of this Nation, our greatest days lie ahead of us. We have a chance to be continually investing in a way that allows us to make it in America and allow for our intellectual capacity to reign supreme. It's been our history. It's our DNA. Let's make it happen. I'm optimistic about the tomorrows for this country with the appropriate investments.

Mr. GARAMENDI. Ms. KAPTUR.

Ms. KAPTUR. America has always been a Nation of great promise, a Nation of great hope; and I like to quote in my speeches the last four letters of the word "American" are "I can." It's positive energy. It's promise that we all work toward, and the American people know it. It's great to be a part of a party of hope and promise for the American people.

I say what a pleasure it has been to join my colleagues here this evening.

Mr. GARAMENDI. With that, Mr. Speaker, I yield back with great thanks to my colleagues and for the opportunity to be a Member of Congress.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3463, TERMINATING PRESIDENTIAL ELECTION CAMPAIGN FUND AND ELECTION ASSISTANCE COMMISSION; PROVIDING FOR CONSIDERATION OF H.R. 527, REGULATORY FLEXIBILITY IMPROVEMENTS ACT OF 2011; AND PROVIDING FOR CONSIDERATION OF H.R. 3010, REGULATORY ACCOUNTABILITY ACT OF 2011

Mr. WOODALL, from the Committee on Rules (during the Special Order of Mr. GARAMENDI), submitted a privileged report (Rept. No. 112-296) on the resolution (H. Res. 477) providing for consideration of the bill (H.R. 3463) to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions and by terminating the Election Assistance Commission; providing for consideration of the bill (H.R. 527) to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; and providing for consideration of the bill (H.R. 3010) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. SUTTON (at the request of Ms. PELOSI) for today on account of travel delays.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 8 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 30, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

3973. A letter from the Under Secretary, Department of Defense, transmitting Selected Acquisition Reports for the quarter ending June 30; to the Committee on Armed Services.

3974. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement: Fire-Resistant Fiber for Production of Military Uniforms (DFARS Case 2011-D021) (RIN: 0750-AH22) received November 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3975. A letter from the Secretary, Department of Defense, transmitting first report on the Responsible Redeployment of U.S. Armed Forces from Iraq; to the Committee on Armed Services.

3976. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement: Simplified Acquisition Threshold for Humanitarian or Peacekeeping Operations (DFARS Case 2011-D032) (RIN: 0750-AH29) received November 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3977. A letter from the Under Secretary, Department of Defense, transmitting a study pursuant to the Conference Report of the National Defense Authorization Act for Fiscal Year 2010; to the Committee on Armed Services.

3978. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulations Supplement: Representation Relating to Compensation of Former DoD Officials (DFARS Case 2010-D020) (RIN: 0750-AG99) received November 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

3979. A letter from the Deputy Director, Office of Labor-Management Standards, Department of Labor, transmitting the Department's final rule — Labor Organization Officer and Employee Reports (RIN: 1215-AB74) (RIN: 1245-AA01) received October 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3980. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Frequency Regulation Compensation in the Organized Wholesale Power Markets [Docket Nos.: RM11-7-000 and AD10-11-000; Order No. 755] received October 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3981. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-36, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3982. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-38, pursuant to the reporting requirements of Section 36(b)(1) of

the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3983. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-35, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3984. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-09, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3985. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 10-74, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3986. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 10-71, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3987. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-29, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3988. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-27, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3989. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-17, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3990. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-26, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3991. A letter from the Director, Defense Security Cooperation Agency, transmitting a report submitted in accordance with Section 36(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3992. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of Commerce, transmitting the Department's final rule — Amendment to Existing Validated End-User Authorizations in the People's Republic of China: National Semiconductor Corporation and Semiconductor Manufacturing International Corporation [Docket No.: 110804481-1527-01] (RIN: 0694-AF32) received November 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3993. A letter from the Secretary, Department of Defense, transmitting a letter pursuant to the authority of section 1033 of the National Defense Authorization Act for Fiscal Year 1998; to the Committee on Foreign Affairs.

3994. A letter from the Assistant Secretary, Legislative Affairs, Department of Defense, transmitting the Report on Compliance with the Treaty on Conventional Armed Forces in Europe; to the Committee on Foreign Affairs.

3995. A letter from the Under Secretary, Department of Defense, transmitting the annual report on "The Worldwide Nuclear, Biological, and Chemical Weapons and Ballistic and Cruise Missile Threat"; to the Committee on Foreign Affairs.

3996. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting the Department's final rule — Amendment to the International Traffic in Arms Regulations: Filing, Retention, and Return of Export Licenses and Filing of Export Information (RIN: 1400-AC91) received November 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

3997. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d)(3) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of Mexico (Transmittal No. DDTC-11-117); to the Committee on Foreign Affairs.

3998. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a proposed removal from the United States Munitions List all chemical toilets and their related components, pursuant to Section 38(f)(1) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3999. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-064, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4000. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-121, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4001. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-062, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4002. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-122, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4003. A letter from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting Transmittal No. DDTC 11-062, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4004. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Transmittal No. DDTC 11-081, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4005. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Transmittal No. DDTC 11-098, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4006. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Transmittal No. DDTC 11-084, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4007. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Transmittal No. DDTC 11-066, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4008. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Transmittal No. DDTC 11-111, pursuant to the reporting requirements of Section 36(d) of the Arms Export

Control Act; to the Committee on Foreign Affairs.

4009. A letter from the Assistant Secretary for Political-Military Affairs, Department of State, transmitting Transmittal No. DDTC 11-086, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4010. A letter from the Assistant Secretary, Department of State, transmitting Transmittal No. DDTC 11-069, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

4011. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to section 81(d) of the Arms Export Control Act and Section 11C(d) of the Export Administration Act of 1979; to the Committee on Foreign Affairs.

4012. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the 51th report prepared pursuant to Section 3204(f) of the Emergency Supplemental Act, 2000; to the Committee on Foreign Affairs.

4013. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a letter responding to GAO report number GAO-11-431C; to the Committee on Foreign Affairs.

4014. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a signed determination pursuant to Section 620H of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

4015. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on CWC Compliance; to the Committee on Foreign Affairs.

4016. A letter from the Delegated Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Nebraska Advisory Committee; to the Committee on the Judiciary.

4017. A letter from the Delegated Authority of the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the California Advisory Committee; to the Committee on the Judiciary.

4018. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting report on the Secretary of State's decision to designate an entity and its aliases as a "foreign terrorist organization", pursuant to Section 219 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1189); to the Committee on the Judiciary.

4019. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Bumpass, VA [Docket No.: FAA-2011-0377; Airspace Docket No. 11-AEA-10] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4020. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Gordonsville, VA [Docket No.: FAA-2011-0375; Airspace Docket No. 11-AEA-9] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4021. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Miles City, MT [Docket No.: FAA-2011-0515; Airspace Docket No. 11-ANM-11] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4022. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Orangeburg, SC [Docket No.: FAA-2010-1325; Airspace Docket No. 10-ASO-40] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4023. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Gary, IN [Docket No.: FAA-2011-0427; Airspace Docket No. 11-AGL-7] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4024. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Shelby, MT [Docket No.: FAA-2011-0536; Airspace Docket No. 11-ANM-13] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4025. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace and Establishment of Class E Airspace; Casper, WY [Docket No.: FAA-2011-0439; Airspace Docket No. 11-ANM-10] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4026. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Brunswick, ME [Docket No.: FAA-2011-0116; Airspace Docket No. 11-ANE-1] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4027. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Northway, AK [Docket No.: FAA-2011-0758; Airspace Docket No. 11-AAL-1] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4028. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Cleveland, MS [Docket No.: FAA-2011-0102; Airspace Docket No. 11-ASO-39] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4029. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Nahunta, GA [Docket No.: FAA-2011-0727; Airspace Docket No. 11-ASO-32] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4030. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; New Market, VA [Docket No.: FAA-2011-0380; Airspace Docket No. 11-AEA-12] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4031. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to Description of VOR Federal Airway V-299; C [Docket No.: FAA-2011-1015; Airspace Docket No. 10-AWP-13] received November 3, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4032. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a Statement of Actions with respect to the GAO report entitled, "Personal ID Verification: Agencies Should Set a Higher Priority on Using the Capabili-

ties of Standardized Identification Cards"; to the Committee on Science, Space, and Technology.

4033. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a Congressional Notification; to the Committee on Intelligence (Permanent Select).

4034. A letter from the Acting Director of Congressional Affairs, Central Intelligence Agency, transmitting a Congressional Notification; to the Committee on Intelligence (Permanent Select).

4035. A letter from the Chairman, National Health Care Workforce Commission, transmitting a letter describing the status of the National Health Care Workforce Commission; jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODALL: Committee on Rules. House Resolution 477. Resolution providing for consideration of the bill (H.R. 3463) to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions and by terminating the Election Assistance Commission; providing for consideration of the bill (H.R. 527) to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; and providing for consideration of the bill (H.R. 3010) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents (Rept. 112-296). Referred to the House Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. Supplemental report on H.R. 527. A bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; Referred to the Committee of the Whole House on the state of the Union. (Rept. 112-289 Pt. 3).

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. WAXMAN (for himself, Ms. ESHOO, Mr. MARKEY, Mr. DOYLE, Ms. MATSUI, Mrs. CHRISTENSEN, Mr. PALONE, Ms. DEGETTE, Mr. ENGEL, and Ms. SCHAKOWSKY):

H.R. 3509. A bill to provide for the creation of a public safety broadband network, to ensure a more efficient and innovative allocation of the electromagnetic spectrum, to permit the Federal Communications Commission to conduct incentive auctions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Mr. PIERLUISI, Mr. YOUNG of Alaska, Mr. GEORGE MILLER of California, Mr. KING of New York, Mr. TOWNS, Mr.

DIAZ-BALART, Ms. BORDALLO, Mr. BACHUS, Mrs. MALONEY, Mr. BILBRAY, Mr. MORAN, Mr. CRENSHAW, Mr. MEEKS, Mr. FITZPATRICK, Mr. MARKEY, Mr. HANNA, Mr. SERRANO, Mr. POSEY, Ms. BROWN of Florida, Mr. TURNER of New York, Ms. MCCOLLUM, Mr. DOLD, Mr. SABLAN, Mr. GIBSON, Mr. REYES, Ms. NORTON, Ms. TSONGAS, Mr. CONNOLLY of Virginia, Mr. BLUMENAUER, Mr. FALCONEVAEGA, and Ms. ROS-LEHTINEN):

H.R. 3510. A bill to reauthorize the Multi-national Species Conservation Funds Semipostal Stamp, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Natural Resources, 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. OLSON:

H.R. 3511. A bill to amend the Public Health Service Act to clarify liability protections regarding emergency use of automated external defibrillators; to the Committee on Energy and Commerce.

By Mr. NADLER:

H.R. 3512. A bill to amend the Abraham Lincoln Commemorative Coin Act to adjust how surcharges are distributed; to the Committee on Financial Services.

By Ms. BROWN of Florida (for herself,

Mr. CUMMINGS, Mr. THOMPSON of Mississippi, Mr. CLARKE of Michigan, Mr. CLAY, Mr. JOHNSON of Georgia, Mr. DAVIS of Illinois, Ms. LEE of California, Mr. CONYERS, Ms. JACKSON LEE of Texas, Ms. MOORE, Mr. DAVID SCOTT of Georgia, Ms. WILSON of Florida, Ms. HANABUSA, Ms. SEWELL, Mr. SCOTT of Virginia, Ms. RICHARDSON, Mr. BISHOP of Georgia, Mr. GUTIERREZ, Mr. LEWIS of Georgia, Mrs. NAPOLITANO, Ms. CLARKE of New York, Mr. PIERLUISI, Mr. TOWNS, Mr. PAYNE, Mr. EDDIE BERNICE JOHNSON of Texas, Ms. EDWARDS, Mr. MEEKS, Mr. HASTINGS of Florida, Ms. WATERS, Mr. RICHMOND, Mr. RUSH, Mr. RANGEL, Ms. NORTON, and Mr. CLEAVER):

H.R. 3513. A bill to require at least 10 percent of certain transportation funding to be made available for small business concerns owned and controlled by socially and economically disadvantaged individuals; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Small Business, 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. CLAY (for himself, Mr. GRIMALVA, and Ms. BORDALLO):

H.R. 3514. A bill to amend the Public Health Service Act to establish a National Organ and Tissue Donor Registry Resource Center, to authorize grants for State organ and tissue donor registries, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia:

H.R. 3515. A bill to save money and reduce tragedies through prevention grants; to the Committee on the Judiciary.

By Mr. MURPHY of Connecticut (for himself and Mr. LARSON of Connecticut):

H.R. 3516. A bill to amend title XVIII of the Social Security Act with respect to Medicare payment for long-term care hospital services; to the Committee on Ways and Means.

By Mr. OWENS:

H.R. 3517. A bill to amend the Passport Act of 1920 to waive the collection of passport

fees to replace passports that were lost, damaged, or destroyed as a result of major disasters or emergencies; to the Committee on Foreign Affairs.

By Mr. ROGERS of Michigan:

H.R. 3518. A bill to impose a regulatory moratorium and prevent taxes from being raised for 2 years; to the Committee on Ways and Means, and in addition to the Committees on Oversight and Government Reform, 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. TOWNS (for himself, Mrs. CHRISTENSEN, Ms. LEE of California, Mr. CLAY, Mr. CARSON of Indiana, Ms. HANABUSA, and Mr. HASTINGS of Florida):

H.R. 3519. A bill to amend to exempt the Medicare program from fallback sequestration under the Budget Control Act of 2011; to the Committee on the Budget.

By Mr. YOUNG of Alaska:

H.R. 3520. A bill to amend title 10, United States Code, to ensure that the retired pay benefits promised a person when they join the Armed Forces are not reduced; to the Committee on Armed Services.

By Mr. ROE of Tennessee (for himself, Mr. CONAWAY, Mr. GINGREY of Georgia, Mr. DUNCAN of Tennessee, Mr. PALAZZO, Mr. BUCSHON, Mr. BARLETTA, Mr. BONNER, Mr. HARPER, Mr. BILIRAKIS, Mr. WOODALL, Mr. CRAWFORD, Mr. GOHMERT, Mr. BURGESS, Mr. ALEXANDER, Mr. MCCLINTOCK, and Mrs. MILLER of Michigan):

H. Res. 475. A resolution expressing the sense of the House of Representatives that the Patient Protection and Affordable Care Act is unconstitutional; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and the Workforce, the Judiciary, Natural Resources, House Administration, Rules, 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. MCGOVERN (for himself, Mr. CAPUANO, Ms. BORDALLO, Mr. MORAN, Mr. ISRAEL, Mr. RUPPERSBERGER, Mr. SIRES, Mr. HASTINGS of Florida, Mr. KEATING, Mr. LEVIN, Mr. LEWIS of Georgia, and Ms. TSONGAS):

H. Res. 476. A resolution recognizing the 30th anniversary of Students Against Destructive Decisions (SADD); to the Committee on Education and the Workforce.

By Ms. NORTON:

H. Res. 478. A resolution expressing the sense of the House of Representatives that the Justices of the United States Supreme Court should make themselves subject to the existing and operative ethics guidelines set out in the Code of Conduct for United States Judges, most of which are already legally binding on them; 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. WAXMAN:

H.R. 3509.

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

Clause 3 of section 8 of article I, and clause 18 of section 8 of article I of the Constitution
By Mr. GRIMM:

H.R. 3510.

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

Article I, Section 8, Clause 7

By Mr. OLSON:

H.R. 3511.

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 (Commerce Clause)

By Mr. NADLER:

H.R. 3512.

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

Article 1, section 8, clauses 1, and 18.

By Ms. BROWN of Florida:

H.R. 3513.

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

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CLAY:

H.R. 3514.

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

Article I, Section 8 of the United States Constitution.

By Mr. LEWIS of Georgia:

H.R. 3515.

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

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. MURPHY of Connecticut:

H.R. 3516.

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

Article I, Section 8.

By Mr. OWENS:

H.R. 3517.

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

Article I, § 8, clause 3 (Commerce Clause).

By Mr. ROGERS of Michigan:

H.R. 3518.

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

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. TOWNS:

H.R. 3519.

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

This Bill is enacted pursuant to Article I, Section 8, Clause 1 of the United States Constitution, known as the "General Welfare Clause." This provision grants Congress the broad power "to pay the Debts and provide for the common defense and general welfare of the United States."¹

¹Please note, pursuant to Article I, section 8, Congress has the power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. YOUNG of Alaska:

H.R. 3520.

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

Article I, Section 8.

ADDITIONAL SPONSORS

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

H.R. 12: Mr. MURPHY of Connecticut.
H.R. 100: Mr. KING of Iowa and Mr. YOUNG of Alaska.
H.R. 115: Mr. MCGOVERN.
H.R. 190: Ms. MCCOLLUM and Mr. MCGOVERN.
H.R. 200: Mr. LEWIS of California.
H.R. 265: Mr. RANGEL and Mr. SCOTT of Virginia.
H.R. 363: Mr. SHERMAN.
H.R. 365: Mr. DANIEL E. LUNGREN of California.
H.R. 376: Mr. JACKSON of Illinois.
H.R. 452: Mrs. MYRICK and Mr. FRANK of Massachusetts.
H.R. 459: Mr. CRAVAACK and Mr. LANDRY.
H.R. 487: Ms. LEE of California.
H.R. 640: Mr. ENGEL, Mrs. MALONEY, and Mr. LEWIS of Georgia.
H.R. 719: Mr. ROE of Tennessee.
H.R. 721: Mr. CRAVAACK and Mrs. BLACKBURN.
H.R. 787: Mr. HUIZENGA of Michigan.
H.R. 807: Mr. LOEBSACK.
H.R. 809: Mr. MORAN.
H.R. 835: Mr. PAYNE and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 860: Mr. LAMBORN, Mr. DENT, Mrs. MILLER of Michigan, Mr. SESSIONS, Mr. TERRY, Mr. REYES, and Ms. EDWARDS.
H.R. 890: Ms. HIRONO and Mr. RUPPERSBERGER.
H.R. 891: Mr. WALZ of Minnesota.
H.R. 993: Mr. MILLER of Florida.
H.R. 996: Mr. RAHALL.
H.R. 1145: Mr. MCCOTTER.
H.R. 1148: Ms. JENKINS, Mr. HONDA, Mrs. HARTZLER, Mr. ISRAEL, Mr. SCHRADER, Mr. WOLF, Ms. MATSUI, Mr. SIRES, Ms. FUDGE, Mr. LANCE, Mr. RUPPERSBERGER, Mr. CICILLINE, Ms. CASTOR of Florida, Mr. GERLACH, Mr. DUNCAN of South Carolina, Mr. LABRADOR, Mrs. MYRICK, and Mr. STARK.
H.R. 1161: Mr. CARSON of Indiana.
H.R. 1164: Mr. LONG and Mr. THORNBERRY.
H.R. 1219: Mr. BARTON of Texas.
H.R. 1244: Mr. CARSON of Indiana and Mr. SENSENBRENNER.
H.R. 1295: Ms. CASTOR of Florida.
H.R. 1307: Mr. LONG.
H.R. 1350: Mr. JONES.
H.R. 1370: Mr. DUNCAN of Tennessee and Mr. JOHNSON of Ohio.
H.R. 1394: Ms. MATSUI, Mr. GUTIERREZ, Mr. LYNCH, Mr. WATT, Mr. BUTTERFIELD, Mr. PAYNE, Mrs. MALONEY, Mr. COSTA, Mr. HINOJOSA.
H.R. 1426: Ms. DEGETTE and Mr. TURNER of Ohio.
H.R. 1449: Ms. CLARKE of New York and Ms. ROYBAL-ALLARD.
H.R. 1488: Ms. HAHN.
H.R. 1509: Mrs. MYRICK.
H.R. 1511: Mr. MCINTYRE.
H.R. 1513: Mrs. DAVIS of California, Mr. PAYNE, Mr. LANCE, Mr. WELCH, Mr. DOYLE, and Mr. DAVIS of Illinois.
H.R. 1558: Mr. BASS of New Hampshire.
H.R. 1621: Mr. AUSTIN SCOTT of Georgia.
H.R. 1653: Mr. BISHOP of Georgia and Mr. KINGSTON.
H.R. 1704: Ms. CASTOR of Florida.
H.R. 1718: Mr. ROSS of Florida.
H.R. 1744: Mrs. MYRICK, Mr. AMODEI, and Mr. YODER.
H.R. 1776: Mr. JOHNSON of Georgia.
H.R. 1792: Mr. JOHNSON of Ohio.
H.R. 1798: Mr. HURT.
H.R. 1809: Mr. BISHOP of New York.
H.R. 1815: Mrs. BONO MACK.
H.R. 1821: Mr. HOLT.
H.R. 1834: Mr. CASSIDY and Mr. WESTMORELAND.

- H.R. 1903: Mr. HOLT and Mr. DOYLE.
 H.R. 1905: Ms. PINGREE of Maine and Mr. RICHMOND.
 H.R. 1956: Mr. LABRADOR and Mr. BERG.
 H.R. 1988: Mr. VAN HOLLEN.
 H.R. 2012: Mr. HONDA.
 H.R. 2014: Mr. YOUNG of Alaska.
 H.R. 2071: Ms. DEGETTE.
 H.R. 2077: Mr. YOUNG of Indiana.
 H.R. 2082: Mr. ROTHMAN of New Jersey.
 H.R. 2139: Mr. BOUSTANY, Ms. JACKSON LEE of Texas, and Ms. DELAURO.
 H.R. 2161: Mr. STARK.
 H.R. 2185: Mr. STARK and Mr. HASTINGS of Florida.
 H.R. 2248: Mr. KILDEE and Mr. PLATTS.
 H.R. 2299: Mr. SIMPSON and Mr. SMITH of Nebraska.
 H.R. 2342: Mr. RAHALL.
 H.R. 2408: Mr. AMODEL.
 H.R. 2412: Mrs. MALONEY and Ms. SCHA-KOWSKY.
 H.R. 2414: Mr. LONG, Mr. CRAVAACK, Mr. HANNA, Mr. COBLE, and Mr. BRADY of Texas.
 H.R. 2459: Mr. SOUTHERLAND.
 H.R. 2479: Mr. LARSON of Connecticut, Mr. NEAL, and Mr. BRALEY of Iowa.
 H.R. 2513: Mrs. LOWEY.
 H.R. 2528: Mr. DUNCAN of South Carolina.
 H.R. 2569: Mr. REED, Mr. MARCHANT, Mr. MICHAUD, Ms. ESHOO, and Mr. CLEAVER.
 H.R. 2580: Mr. HOLT, Mr. HIGGINS, and Mr. CROWLEY.
 H.R. 2643: Mr. KUCINICH.
 H.R. 2672: Mr. THOMPSON of Pennsylvania.
 H.R. 2674: Mr. COHEN.
 H.R. 2730: Mr. McDERMOTT and Mr. GUTIER-REZ.
 H.R. 2733: Mr. KISSELL.
 H.R. 2735: Mr. LARSON of Connecticut.
 H.R. 2742: Ms. RICHARDSON and Ms. SEWELL.
 H.R. 2815: Ms. LEE of California.
 H.R. 2827: Mr. QUAYLE, Mr. GARY G. MILLER of California, and Mrs. ELLMERS.
 H.R. 2828: Mr. GARAMENDI.
 H.R. 2866: Ms. SLAUGHTER.
 H.R. 2885: Mr. AMODEL.
 H.R. 2899: Mr. DUNCAN of South Carolina.
 H.R. 2918: Mr. RANGEL.
 H.R. 2948: Mr. MILLER of North Carolina and Mr. HIMES.
 H.R. 2955: Ms. PINGREE of Maine.
 H.R. 2966: Mr. KILDEE, Mr. COHEN, Mr. COURTNEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TURNER of New York, and Mr. DAVIS of Illinois.
 H.R. 2980: Mr. FILNER.
 H.R. 2982: Mr. MCCOTTER, Mr. NADLER, and Mr. POSEY.
 H.R. 3032: Mr. MURPHY of Pennsylvania.
 H.R. 3046: Ms. HAHN.
 H.R. 3059: Mr. AL GREEN of Texas, Mr. GON-ZALEZ, Mr. HOLT, Mr. GARAMENDI, Mr. WALZ of Minnesota, and Mr. MCCOTTER.
 H.R. 3066: Mr. PETRI.
 H.R. 3074: Mr. TURNER of New York.
 H.R. 3083: Mr. DIAZ-BALART.
 H.R. 3145: Mr. PALLONE, Mrs. NAPOLITANO, and Mr. PASCRELL.
 H.R. 3154: Mr. PETRI.
 H.R. 3158: Mr. KLINE.
 H.R. 3178: Ms. NORTON, Mr. HINCHEY, and Ms. DELAURO.
 H.R. 3180: Mr. MCGOVERN.
 H.R. 3200: Mrs. MCCARTHY of New York.
 H.R. 3244: Mrs. LUMMIS, Mr. GINGREY of Georgia, Mr. FLORES, Mr. RIBBLE, and Mr. POSEY.
 H.R. 3271: Ms. MOORE, Ms. LEE of Cali-fornia, Ms. SLAUGHTER, and Mr. GRIJALVA.
 H.R. 3278: Ms. RICHARDSON.
 H.R. 3286: Ms. LINDA T. SANCHEZ of Cali-fornia, Mr. CLARKE of Michigan, Mr. CARSON of Indiana, and Mrs. MALONEY.
 H.R. 3307: Mr. YOUNG of Alaska, Mr. BART-LETT, Mr. WELCH, and Ms. SEWELL.
 H.R. 3308: Mr. DUNCAN of South Carolina and Mr. ROSS of Florida.
 H.R. 3309: Mr. BARTON of Texas, Mr. TERRY, Mr. BASS of New Hampshire, Mrs. BLACK-BURN, and Mr. SCALISE.
 H.R. 3310: Mrs. BLACKBURN, Mr. BASS of New Hampshire, Mr. TERRY, Mr. LANCE, and Mr. KINZINGER of Illinois.
 H.R. 3316: Mr. CLARKE of Michigan, Mr. POLIS, and Ms. JACKSON LEE of Texas.
 H.R. 3317: Mr. CLARKE of Michigan, Mr. POLIS, and Ms. JACKSON LEE of Texas.
 H.R. 3346: Mr. WAXMAN, Ms. MCCOLLUM, Mr. DAVIS of Illinois, Ms. WASSERMAN SCHULTZ, Mr. CAPUANO, Mr. FATTAH, Mr. PIERLUISI, Mr. SRES, Mr. ELLISON, Ms. FUDGE and Mr. LARSON of Connecticut.
 H.R. 3357: Mr. STARK, Mr. FARR, Mr. OLVER, and Mr. SHULER.
 H.R. 3364: Mr. MORAN, Mr. ACKERMAN, Ms. ESHOO, and Mr. KING of Iowa.
 H.R. 3365: Mr. DEFazio.
 H.R. 3366: Mr. BOUSTANY and Mr. REICHERT.
 H.R. 3368: Ms. SLAUGHTER, Mr. BRALEY of Iowa, and Mr. DEFazio.
 H.R. 3371: Mr. McINTYRE and Mr. JOHNSON of Georgia.
 H.R. 3379: Mrs. McMORRIS RODGERS and Mr. PETERSON.
 H.R. 3393: Ms. WASSERMAN SCHULTZ.
 H.R. 3405: Mr. CARSON of Indiana, Mr. LOEBACK, and Mr. RYAN of Ohio.
 H.R. 3409: Mr. SHUSTER.
 H.R. 3421: Mr. MEEHAN, Mr. FILNER, Mr. PRICE of Georgia, Mr. NADLER, Mr. KING of New York, Mrs. McMORRIS RODGERS, Mr. PAULSEN, Ms. MOORE, Mr. PRICE of North Carolina, Mr. PIERLUISI, Mr. REHBERG, Mr. ROE of Tennessee, Mr. ROGERS of Michigan, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SCHWARTZ, Mrs. LUMMIS, Mr. FORTENBERRY, Mr. COLE, Mr. CULBERSON, Mr. COURTNEY, Ms. HERRERA BEUTLER, Mr. WOMACK, Ms. NORTON, Mr. TERRY, Mr. WESTMORELAND, Mr. WILSON of South Carolina, Mr. FATTAH, Mr. SCHOCK, Mr. BOREN, Mr. RYAN of Wisconsin, Mr. DENT, Mr. RANGEL, Mr. TONKO, Mrs. ELLMERS, Mr. COFFMAN of Colorado, Mr. GARDNER, Mr. DIAZ-BALART, Mr. COHEN, Mrs. MILLER of Michigan, Mr. BARLETTA, Mr. REED, Mr. BOUSTANY, Mr. ROKITA, Mr. TOWNS, Mr. LONG, Mr. LARSON of Con-necticut, Mr. RUSH, Mr. SESSIONS, Mr. DOLD, Mr. HULTGREN, Mr. MILLER of Florida, Mr. PITTS, Mr. GERLACH, Mr. JOHNSON of Ohio, Mr. LABRADOR, Mr. AUSTRIA, Mr. ELLISON, Mr. RENACCI, Mr. MANZULLO, Mr. QUIGLEY Mr. ROGERS of Kentucky, Mr. MCCARTHY of California, and Mr. DAVID SCOTT of Georgia.
 H.R. 3437: Ms. SLAUGHTER, Mr. SABLAN, and Mr. CARNAHAN.
 H.R. 3462: Mr. CONYERS.
 H.R. 3466: Mr. JACKSON of Illinois.
 H.R. 3476: Mr. BILIRAKIS and Mr. OWENS.
 H.R. 3485: Mr. WAXMAN, Mr. PRICE of North Carolina, Ms. HAHN, and Ms. BERKLEY.
 H.R. 3486: Mr. BOSWELL, Mr. CHABOT, Ms. DELAURO, Mr. GRIJALVA, Mr. JACKSON of Illi-nois, Ms. JACKSON LEE of Texas, Ms. LEE of California, Mr. MCGOVERN, and Ms. NORTON.
 H.R. 3490: Mr. GRIJALVA.
 H.J. Res. 88: Mr. FILNER and Mr. BLU-MENAUER.
 H. Con. Res. 63: Mr. COLE.
 H. Con. Res. 85: Mrs. NAPOLITANO and Mr. HONDA.
 H. Res. 298: Mr. HONDA, Mr. HARPER, Mr. KISSELL, and Mr. SHIMKUS.
 H. Res. 364: Mr. BILBRAY, Mr. VISCLOSKEY, Mr. PAYNE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUPPERSBERGER, Ms. SEWELL, Mr. BOUSTANY, Mr. BURGESS, Mr. SCOTT of Vir-ginia, Ms. VELÁZQUEZ, Mr. NEAL, Mr. CRENSHAW, Mr. GINGREY of Georgia, Mr. ROGERS of Kentucky, Mr. BISHOP of Utah, Mr. KING of Iowa, Mr. FLEISCHMANN, Mr. ROHRBACHER, Mr. LOBIONDO, Mr. SMITH of Texas, Mr. STEARNS, Mr. BUCHANAN, Mr. CRAVAACK, Mr. CANSECO, Mr. FORTENBERRY, Mr. BILIRAKIS, Mr. BUCHSON, Mr. LAMBORN, Mr. YOUNG of Alaska, Mr. WESTMORELAND, Mr. MILLER of Florida, Mr. POSEY, Mr. DREIER, Mr. MULVANEY, and Mr. SMITH of Nebraska.
 H. Res. 376: Mr. POE of Texas, Ms. BASS of California, Mr. ROYCE, Mr. MARINO, Mr. SHERMAN, Mr. PETERSON, Mr. MCGOVERN, Mr. SAM JOHNSON of Texas, and Mr. KELLY.
 H. Res. 397: Mr. COHEN, Mrs. MALONEY, and Mr. FALEOMAVAEGA.
 H. Res. 433: Mr. YOUNG of Alaska.
 H. Res. 474: Mr. SABLAN, Mr. ISRAEL, and Ms. BORDALLO.

CONGRESSIONAL EARMARKS, LIM-ITTED TAX BENEFITS, OR LIM-ITTED 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. 3463, to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election campaigns and party conventions and by terminating the Election Assistance Commission, 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 US. House of Representatives.

OFFERED BY MR. DANIEL E. LUNGREN OF CALIFORNIA

The provisions that warranted a referral to the Committee on House Administration in H.R. 3463, to reduce Federal spending and the deficit by terminating taxpayer financing of presidential election, campaigns and party conventions and by terminating the Election Assistance Commission, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.