

Gabe Zimmerman was a young man who dedicated himself to the betterment of his community, and lived a life of service to others.

This led him to work for Representative GABBY GIFFORDS—first as a field organizer and constituent service director, and later as a community outreach director.

We all know of the tragedy that occurred on January 8, when Gabe and 5 other individuals were forever taken away from this world.

But what many of us don't know is the type of life Gabe Zimmerman lived.

Gabe was integral in working with local charities, like Child and Family Resources, the YWCS, and the Comstock Foundation.

He was a loving son, brother, and fiancé—and a dedicated public servant.

I urge all my colleagues to honor the life and service of this tremendous young man, and vote "yes" on H. Res. 364.

Mr. REYES. Madam Speaker, I rise today in support of H. Res. 364, a resolution to name a meeting room in the Capitol Visitors Center after Gabriel Zimmerman, the only Congressional staff member killed while on duty. Gabe Zimmerman, a staff member for my friend and colleague Congresswoman GABRIELLE GIFFORDS, was one of six people killed in the January 8, 2011, attack in Tucson, Arizona.

The entire Capitol Hill community mourned the senseless deaths and the loss of one of our own. Those of us who serve in Congress know that the work we do to represent our constituents would not be possible without the support of our hard-working and dedicated staffs. Working early mornings and late nights, on weekends and federal holidays, these outstanding men and women bring energy and passion for public service.

Gabe Zimmerman died while helping Congresswoman GIFFORDS as she engaged in one of the most important functions of a Member of Congress, communicating with her constituents. It is fitting that the House of Representatives is today considering legislation to dedicate a space to the memory of Gabriel Zimmerman, a room where Members of Congress and our staff come together to represent the interests of the American people.

In honor of Gabe Zimmerman and all Congressional staff including my own, I rise today to pay tribute to the men and women who dedicate themselves to public service.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, the role of Congressional staff is an important one in helping all Members carry out our responsibilities, but it is a role too often not acknowledged. It is fitting that we pause today to honor one such staffer, Gabriel "Gabe" Zimmerman, who made the ultimate sacrifice while serving this Congress and this nation. Gabe was the first, and hopefully the last Congressional staffer to be murdered in the performance of his official duties when he was shot staffing Representative GABRIELLE GIFFORDS at a constituent event in her district. Six other people were killed and 13 were wounded, including Representative GIFFORDS and two other Congressional staffers.

By all accounts, Gabe was a kind and dedicated young man who worked tirelessly to improve the lives of the people in the 8th District of Arizona. He was a former social worker who assisted troubled youth, an athlete who loved the outdoors, a beloved son and brother, and he was engaged to be married. His life

was cut far too short. I am pleased that we are making this small tribute to him today.

Our hearts go out to Gabe's family and friends, to Ranking Member of the Space and Aeronautics Subcommittee, GABRIELLE GIFFORDS, during her recovery, and to all those impacted by that horrible tragedy.

Mr. VAN HOLLEN. Madam Speaker, on January 8, 2011 the nation was shocked and saddened by a senseless act of violence against a member of the House, Congresswoman GABBY GIFFORDS. That attack injured her and killed six innocent bystanders, including a Congressional staff, Gabe Zimmerman.

Gabe, a 30-year-old social worker, began work for Congresswoman GIFFORDS in 2007, supervising the constituent services operation and helping the people of Arizona's Eighth Congressional District resolve problems with Federal agencies and obtain government services. He was promoted to Director of Community Outreach, using his considerable talent and energy to engage citizens and make Congress accessible to them. In that capacity, he planned Congresswoman GIFFORDS' "Congress on Your Corner" event on January 8 and was at her side that day.

We continue to mourn his loss and pray for his family and friends. Gabe Zimmerman's life is a testament to the selfless work performed by Congressional staff every day for the American people. Today, we designate a room in the Capitol as the "Gabriel Zimmerman Meeting Room" to honor his work and recognize the dedication that he and all staff show to their country.

Ms. RICHARDSON. Madam Speaker, I rise today as a proud cosponsor of H. Res. 364, Designating Room HVC-215 of the Capitol Visitor Center as the "Gabriel Zimmerman Meeting Room." Adoption of this resolution would be a fitting tribute to Gabe Zimmerman's commitment to public service and the courage of our colleague Congresswoman GABRIELLE GIFFORDS of Arizona.

Gabe Zimmerman's devotion to public service knew no bounds and he made the supreme sacrifice in service to the public when he was killed on January 8, 2011, in Tucson, Arizona, at the hands of the same gunman who left Congresswoman GIFFORDS gravely wounded. Like many Americans, the tragic events which unfolded on that day in January left me in a state of shock, anger, and tremendous sadness.

As the weeks and months have passed, Americans have looked to each other for strength and have been encouraged by the tremendous progress that Congresswoman GIFFORDS has made in her recovery. Nearly a year later, we pause to remember not only Gabe and GABBY, but all the innocent victims of this tragedy who were gunned down while waiting to exercise their democratic right to have their opinions heard.

Madam Speaker, 19 people were shot on that tragic day in Tucson—six of whom suffered fatal wounds. While this tragedy focused national discourse on the need to reassess current gun restrictions and the responsibility of public institutions in reporting potentially dangerous behavior, we were also reminded of the value of maintaining civility in our public discourse.

Gabe Zimmerman, Congresswoman GIFFORDS' director of community outreach, personified the spirit of public service and patriotism that has made America great. His work

with the people of Tucson made him a popular member of the community, and his passion for social justice transcended his official role as a member of Congresswoman GIFFORDS' staff and left an indelible impact on everyone around him.

Gabe's drive to help others led him to pursue a master's degree in social work and a career in politics. Although Gabe's nascent career was cut tragically short, designating room HVC-215 as the Gabe Zimmerman Meeting Room will allow us to memorialize and celebrate his commitment to public service for years to come.

Mr. Speaker, I urge my colleagues to join me in supporting H. Res. 364.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. FLEISCHMANN) that the House suspend the rules and agree to the resolution, H. Res. 364.

The question was taken.

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

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

The yeas and nays were ordered.

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

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. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 477 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 477

*Resolved*, That upon the adoption of this resolution it shall be in order to consider in the House 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. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on House Administration; and (2) one motion to recommit.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 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. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Small Business. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendments in the nature of a substitute recommended by the Committees on the Judiciary and Small Business now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated November 18, 2011. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3010) to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part B of the report of

the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 4. It shall be in order at any time through the legislative day of December 2, 2011, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1(c) of rule XV, relating to a measure addressing railway labor.

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

Mr. WOODALL. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Madam Speaker, House Resolution 477 is a structured rule for the consideration of three bills: H.R. 527, the Regulatory Flexibility Act; H.R. 3010, the Regulatory Accountability Act; and H.R. 3463, a measure to terminate the Election Assistance Commission and end taxpayer financing of presidential elections and campaigns.

□ 1330

Not only do these bills show this House's commitment to small businesses, but they also demand that agency rulemaking be held accountable, reclaiming that authority that is vested here in this House.

H.R. 527, the Regulatory Flexibility Improvements Act, requires agencies to analyze the impact that a new regulation would have on small businesses before the regulation is adopted. By requiring all Federal agencies to obtain input and develop and conduct regular regulatory reviews of existing regulations, this bill, I believe, complements and codifies President Barack Obama's commitment in Executive Order 13563

that directs agencies to review their regulations and solicit public input.

H.R. 3010, the Regulatory Accountability Act, makes further positive changes. It reforms and modernizes the Administrative Procedure Act. It makes agencies more accountable and regulations more cost effective. In a recent study, Madam Speaker, that the Small Business Administration commissioned, they estimated the cost of the U.S. Federal regulatory burden at \$1.75 trillion. Now, that's not to say there aren't benefits that outweigh that burden; but when the burden is that substantial, Madam Speaker, we have to have a process in place that balances those benefits and those burdens, and that's all H.R. 3010 asks to do.

Madam Speaker, time and time again the American people have demanded more accountability from their Congress, more accountability from their government. This collection of bills today not only provides that accountability of Congress, but requires that accountability of our executive branch agencies.

As we talk about accountability, Madam Speaker, it's important to note that these bills are paid for by terminating the Election Assistance Commission. You will remember, Madam Speaker, that was a commission created in 2002 that was supposed to sunset by 2005 and yet has continued even until today. That commission was set up in the aftermath of the hanging chads of the 2000 Presidential election to help States implement election reforms, to help States make sure the integrity of their electoral process was preserved. And yet today, 6 years after the expected sunset of that commission, we hear from our Secretaries of State that they no longer need that commission, that that commission is not providing useful benefits to them. By terminating that, we're going to save the American taxpayer more than \$600 million over the next decade.

Madam Speaker, taken together, these three measures, H.R. 527, H.R. 3010, and H.R. 3463, help small businesses, increase agency transparency, and increase public participation in the entire regulatory process. They save money for hardworking American taxpayers and are positive reforms that this Congress can pass in a bipartisan way.

I hope that my colleagues on both sides of the aisle will support these underlying measures, and I hope they will support this rule so that we may consider them today.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Madam Speaker, I want to thank the gentleman from Georgia, my friend, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. I rise in very strong opposition to this restrictive rule—and

not only restrictive, but a very convoluted rule—and I rise in opposition to the three bills that would be made in order by this rule.

Regulatory uncertainty is a canard invented by Republicans that allows them to use current economic problems to pursue an agenda supported by the Big Business community year in and year out. In other words, it is a simple case of political opportunism, not a serious effort to deal with high unemployment. Those aren't my words, Madam Speaker. Those are the words of Bruce Bartlett, a Republican who worked for Ronald Reagan, George H.W. Bush, Jack Kemp, and RON PAUL.

Think about what Mr. Bartlett is saying in his last sentence: "Republicans would rather play political games instead of putting people back to work. They would rather fiddle while Rome burns instead of putting out the fire." And look at the Republican track record since the start of the 112th Congress: no jobs bills, not one. But we've found time to debate bills defunding Planned Parenthood and National Public Radio. There's no extension of the payroll tax cut or unemployment insurance, but we can spend hours debating the need to allow unsafe people the right to carry concealed weapons from State to State. No effort to take away tax breaks for oil companies who continue to make billions of dollars in profits each month, but we can find time to make our air dirtier and our water less safe by dismantling the Clean Air Act and the Clean Water Act.

Seriously, Madam Speaker, the agenda of the far right continues to dominate this House leadership, and that agenda is out of touch with the needs of the American people. We have a jobs crisis in this country. The rich are getting richer and everyone else is struggling. Yet the Republicans continue to side with the people who don't need any help. They killed the supercommittee because they would rather protect tax cuts for millionaires instead of dealing with the deficit. They are refusing to take up the extension of the payroll tax cut that expires at the end of the year because they don't want their millionaire friends to pay just a little bit more.

Just look at what we're doing this week. We're going to consider anti-regulatory bills that will make our country less safe and our citizens less healthy. We're going to consider a bill that actually promotes putting more corporate money into the political system. And we're going to debate a bill that makes it harder for workers to organize. Not one of these bills will put people back to work. Not one of these bills will help struggling families keep their heat on during the winter. Not one of these bills will help repair our aging infrastructure.

To quote Mr. Bartlett again: "People are increasingly concerned about unemployment, but Republicans have nothing to offer them." And that's the

truth, Madam Speaker. Republicans have absolutely nothing to offer.

The President proposed—and I have cosponsored—the American Jobs Act. It's a proposal that would help put Americans back to work, would extend the payroll tax cut and unemployment insurance, would help repair our aging infrastructure, and would provide aid to cities and States so they don't have to lay off more teachers and more police officers and more firefighters.

It's a bill that is paid for. It doesn't add one cent to the deficit. And it's made up of measures that Republicans and Democrats have supported in the past. Let me repeat that: what the President has proposed is a series of measures that Republicans and Democrats have supported in the past. The idea that a program was good under President Bush but not under President Obama doesn't make much sense to me, but that seems to be the thought process that passes for governing under this Republican leadership.

So where's the Republican plan? They don't have one. It's not enough to cross our fingers and hope that our economy improves. It's not enough to close our eyes and wish that more people would find a job. Actions speak louder than words, and it is clear by the Republican leadership's actions that they don't care about the economy. Either that, or they are making a conscious decision not to act simply for political gain. Either way, Americans are hurting because of their inaction.

Madam Speaker, our economy is not where it needs to be. There are still too many unemployed people in this country. There are still too many people struggling to make ends meet, struggling to pay their bills and to put food on the table. But this notion that red tape is what's keeping our economy from getting off the ground and that thoughtful regulations are preventing people from getting jobs is just untrue.

We don't need to waste time debating bills that make our air and water dirtier and less safe. We don't need to waste our time with bills defunding NPR and Planned Parenthood. We don't need to waste our time debating bills to reaffirm our national motto. What we need to do is to get this economy moving. What we need to do is create jobs.

Republicans have been in charge now for 330 days. That's 330 days without a jobs bill. It's not enough to call something a "jobs" bill if it doesn't put someone back to work. No, Madam Speaker, we need a real jobs bill. We need definitive action that shows the American people that we care about their well-being, that we understand what they're going through, and that we're here to help—in short, that we're on their side. The bills we will be considering this week just don't get the job done.

It's been 330 days, and Republicans still don't get it. I can't say that I'm surprised. I'm disappointed, but I'm not surprised.

I reserve the balance of my time.

□ 1340

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

I look at the clock above your head. I think it's been about 11 minutes since my colleague DEBBIE WASSERMAN SCHULTZ called for a toning down of the rhetoric and focusing more on policy. I don't think we were able to make it to minute 15.

I will quote my friend as he referred to Republicans: Either they don't care about the economy, or they are just acting for political gain.

Is that all there is? Either folks don't care, or they're just acting for political gain. It could be that their principles are different. It could be that their principles are different, but I don't actually believe that. I believe our principles are the same, because what these bills do is one thing and one thing only. Let's balance the regulatory burden with the benefits that it provides.

Madam Speaker, who is it in America that does not believe that balance is important in what we do here in Congress? I hear it back home all the time: ROB, balance. I want you to get things done, but I don't want you to get things done that are the wrong thing for the wrong reasons. I want you to come together and work on these issues.

Who is it, Madam Speaker, that does not believe that regulation to protect health and safety is important? I do. I come from one of the farthest right districts in the country. I believe health and safety are important things to regulate, but I believe we should balance those regulations.

When we doubled the budget of the Environmental Protection Agency between 2008 and 2009, where do you think that money went, Madam Speaker? The environment that I live in in Georgia was clean and thriving in 2008. But when you double the amount of money that you give to regulators, they have only one thing that they can do with it, and that's regulate more, regulate more.

We need balance, and that's all these bills are asking for. I have all the committee reports here, Madam Speaker, if any of my colleagues would like to come and look at them. There is not a line in any of these pages that says: Thou shalt not regulate. Not one. What they say is: Thou shalt regulate with balance—with balance.

A friend of mine was walking through the Occupy Atlanta protest the other day, Madam Speaker. A fellow came up and shook his fist at him. One of the protesters shook his fist at my friend and said, It's all about jobs. And my friend looked him in the eye and said, You know, you're exactly right. You should go out and hire somebody. You should go out and hire somebody. The fellow said, I'm not talking about providing jobs. I'm talking about I want a job myself.

Well, that's right. Every single bill that this Congress considers that helps job creators helps jobs.

We've got to end the rhetoric of loving jobs and hating job creators, Madam Speaker. There's only one opportunity that we, as Americans, have for employment, and that is finding an employer. And line after line after line of these bills say, before you punish American industry, make sure the balance is there, because, let's be clear, Madam Speaker, it's not that these jobs don't have to be performed.

Time and time again I hear my colleagues bemoaning the fact that we're not creating jobs. I, too, bemoan the fact that this administration has not created jobs. But that's not our only problem. Our problem is jobs that are leaving this country, Madam Speaker. Our problem is destroying even more jobs.

Industry is going to continue to operate around this planet. We can either embrace it here in this country in a balanced way or we can run them all overseas.

There's something that I believe we sometimes do disagree about here in this Congress, and that is that government cannot create jobs. Government can create an environment in which job creators can create jobs.

I cannot pass a bill in this Congress, no matter how hard I try, Madam Speaker, no matter how hard I work, that will make everybody in this country rich. I cannot do it. But this Congress has succeeded all too often at passing bills that can make everybody poor.

Balance, Madam Speaker, is what these bills contain. What this rule does—and it's important because it's a new operation that we're doing here in this House; and I'm very proud of it, and I hope my friends on the other side of the aisle are proud.

This is not an open rule today. I don't want to claim that it is. It's not on open rule. What we did, though, as the Rules Committee, is we asked all of our colleagues, anyone who has a proposal that they believe will make these bills better, send those amendments to the Rules Committee for consideration. Anybody—Democrat, Republican—send those amendments to the Rules Committee for consideration. This is what we did in the Rules Committee.

We received six Democratic amendments for H.R. 527, six ideas from the 435 Members in this House, six ideas for making these bills better. They all came from the Democratic side of the aisle, and we made every single one of those ideas available for debate here on the House floor today. You didn't used to see that. You didn't used to see it under Republican administrations. You didn't used to see it under Democrat administrations. That's what we're doing here today in a bipartisan way.

H.R. 3010, sent out a notice to the entire Congress, Send your ideas for making H.R. 3010 better. Send them to the Rules Committee so that we can con-

sider them for consideration on the House floor. There were 12 ideas that were submitted, Madam Speaker—one Republican idea, 11 Democrat ideas. Three of those Democrat ideas were later withdrawn, said, We don't want to bring those ideas to the floor. So that leaves us with eight, and we brought all but one.

My colleague from Georgia (Mr. JOHNSON), his amendment was not made in order because my colleague from Texas (Mr. OLSON) had an amendment that was substantially similar, and knowing that time is valuable on the House floor, we wanted to consider all ideas, but not all ideas from everybody, each idea only once.

Seven Democratic amendments, one Republican amendment made in order because we invited the entire United States House into this process.

This is the time on the rule, Madam Speaker. I'm not here to debate the underlying provisions. We've provided time to do that. But I do want to defend this rule as an example of what we ought to do.

Is it a little more convoluted than I would have liked? Yes, it is.

Is it a little outside of my issue areas? Yes, it is.

But does it make in order all of the amendments that our colleagues want to submit? It provides for time for debate on every single idea submitted.

That's an important change in this House, Madam Speaker. I'm grateful that we've been able to do it, and I reserve the balance of my time.

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

I want my colleagues to understand that one of the amendments they didn't make in order was the amendment offered by our colleague, Congressman JOHNSON, which basically stated that if the experts conclude that a rule would result in a net job creation, the rule shouldn't be delayed and blocked by all the stuff that's in this bill because we need jobs right now. It's interesting that that's the one that my Republican friends chose to block because it has to do with jobs.

Another amendment that they blocked was one that I had offered. I've offered it many, many times in the Rules Committee, and that is to basically bring to the floor an amendment that would allow us to vote to strip big oil companies of taxpayer-funded giveaways—subsidies is what I call them. And I've tried to bring it up on the floor a gazillion different times in a gazillion different ways, and I'm always told that there's a germaneness issue. But yet what does the Rules Committee do? Oftentimes, it waives all the rules so that sometimes non-germane amendments can come to the floor.

I mean, when you talk about balance, the fact that taxpayers are subsidizing big oil companies that made over \$100 billion in profit last year, that we're going to somehow continue taxpayer

subsidies to these big oil companies, yet, when you look at the Republican budget that they passed, they find ways to balance the budget on every single program that impacts middle-income and low-income people in this country.

What they do is they choose to balance the budget by lowering the quality of life and the standard of living for everyday people and for those struggling to get in the middle. There's no balance here. There's no balance here.

And in terms of bipartisanship, the President of the United States came to this Chamber and he gave a speech in which he outlined his jobs bill, which included a number of initiatives, all of which had in the past enjoyed bipartisan support. But I guess because he's the President, he's a Democrat, Republican leadership doesn't want to have those debates here on the floor, give him any victories, because that might not be politically advantageous to them.

Let's be frank about what's going on here. In my opinion, this is about political opportunism. This is about the leadership of this House blocking important legislation to put people back to work just because they can, just because it's been proposed by the President of the United States.

We need to focus on jobs in this Congress. We need to be focused on helping people get back to work. I don't care what part of the country you're from, people are hurting, people are struggling, and they're looking for us to do something, something meaningful, not to bring bills to the floor like this that, in the scheme of things, mean nothing or to have these great debates over reaffirming our national motto or on bills that make it easier for unsafe people to carry concealed weapons from State to State.

□ 1350

That we're debating those things when there are millions of people that are out of work, I think, is outrageous.

Madam Speaker, at this time I am proud to yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Madam Speaker, as we stand here today, I would like us to pause for a moment and think about an American family who is not here. The husband works in a Home Depot, the wife works as an administrative assistant in a hospital, and they make together about \$50,000 a year. And they're among the fortunate Americans who have jobs, but they're frankly very worried because it seems like the harder they work, the less ground they gain. They're going backwards the harder they work.

The House needs to understand that a month from tomorrow, unless this House acts, that family's taxes will rise by \$1,000. A month from tomorrow,

unless the House and the other body and the President act, that family's taxes will go up by \$1,000 a year.

President Obama has said he will sign legislation that prevents that tax increase from happening. The Democratic leader of the other body, Senator REID, has said he will move and support legislation that prevents that from happening.

Last night the minority leader, the Republican leader of the other body, indicated that he was now moving to a position in favor of legislation preventing that from happening. House Democrats are prepared at this moment on this bill, on this day, to support legislation that will postpone that tax increase on middle class families.

The American people want us to work together, and I would trust that the vast majority of American people would say that in these economic times working together to suspend a thousand-dollar tax increase on a \$50,000-a-year family is something we ought to work together on. President Obama agrees. Senator REID agrees. It looks like Senator MCCONNELL agrees. Leader PELOSI and the House Democrats agree. But we don't have that bill on the floor this afternoon.

This is our opportunity, colleagues, to move away from the daily back-and-forth of Republican versus Democrat politics and do something for which there is broad agreement and, I think, urgent need.

Now, we have 30 days to get this done, and our track record is not very promising on meeting deadlines around here. My suggestion is let's move this agenda on this day at this time and put before the House a bill that would suspend this thousand-dollar tax increase on middle class families, all wage earners, across the country. Certainly this is something on which we ought to agree, certainly this is something the House should be able to devote its time to, and certainly we should act on it here today.

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

Even though I'm a freshman in this body, I have been working hard to try to find metrics by which I can judge what's happening here because this body is not like so much that happens back home. The metric that I have found while we're debating a rule is that the less folks are talking about the rule, I think the better job we did crafting it. I think that's right. Because if it was an awful rule, we'd spend our time talking about what an awful rule it is. When it's a pretty good rule, we spend our time talking about other issues on the floor.

I happen to agree with my friend from New Jersey. A thousand dollars for a family earning \$50,000, that's real money. Now, I would say, though, to my friend from Massachusetts that if you take that \$1.75 trillion burden that the Small Business Administration tells us is upon the American people

because of regulations, that's actually \$5,000 per person. That's \$15,000 per a three-member family. And so yes, I agree with my friend from New Jersey that we should absolutely cooperate on focusing on those burdens. The burden we're focusing on today? Even larger, by orders of magnitude.

Mr. ANDREWS. Will the gentleman yield?

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

Mr. ANDREWS. I would just ask the gentleman, then, if he is prepared to tell us whether the majority will put on this floor before the 31st of December a bill that suspends this tax increase on middle class Americans.

Mr. WOODALL. My friend flatters me by thinking I have the answer to that information as a young freshman on the House floor, but I'll tell you this. I'll tell you that two things are true, and it is a puzzler for me on the payroll tax holiday that's gone on this year.

On the one hand I will tell you that Republicans are absolutely the party of lower taxes and not higher taxes and that actually speaks to this issue. We're also the party of making sure that we're paying for those commitments that we're making. Social Security is different from any other tax, and when I go and talk to my grandfather, he'll say, "Rob, I want that Social Security. I paid into it all my life."

Well, we're not paying into it right now. The proposal is not to pay into it next year, the proposal was not to pay into it last year. I'd be interested to ask my friend if he's prepared to support lowering those Social Security benefits because, again, this is something we're paying into.

Mr. ANDREWS. Will the gentleman yield?

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

Mr. ANDREWS. I am most certainly not in favor of that. I would frankly make up for the lost revenue with a surtax on people making more than a million dollars a year to cover it.

Let me ask the gentleman another question.

I understand that there are differing views in his party, and frankly ours, as to whether an extension of the cut for middle class families should continue. And I'm not asking him to say it would pass. That's beyond the reach of any Member, even the Speaker.

But is the majority prepared to make a commitment to the American people to at least get to vote on it, that it will let the majority work its will and either vote "yes" or "no" on avoiding this tax increase on middle class Americans?

Mr. WOODALL. I would say to my friend that the majority, again speaking out of school as a young freshman here on the House floor, but I know enough about my leadership to know the majority is absolutely committed to protecting and preserving Social Security not just for this generation but the next generation and beyond. And the question is going to be can we find

a proposal, because the one that was passed last year was not a proposal that both lowered tax burdens and protected the solvency of Medicare and Social Security.

We must be sure not to further bankrupt a program that we all agree is already going bankrupt. I look forward to that debate, Madam Speaker, between now and the end of the year.

And it's not just that tax that's expiring. I know my friend is also concerned about the Bush-Obama tax cuts that were extended in December of 2010 and wants to be sure that those will be extended in 2011 on into 2013.

Mr. ANDREWS. Will the gentleman yield?

Mr. WOODALL. I'll be happy to yield.

Mr. ANDREWS. Those income tax reductions, of course, were extended to December 31 of 2012. So there's not an urgent imminence to addressing that issue the way there is with this.

I would just again put the question this way. I fully understand there are different views as to whether or not we should avoid this middle class tax increase. I'm simply asking whether the gentleman supports giving us a clear up-down vote on having that happen.

Mr. WOODALL. I would say to my friend that I happen to support up-down votes on all sorts of things. I'm an open rules guy, and I'm very proud of our Speaker who believes that the House works best when the House works its will. That's really one of the changes that I understand we've seen in this year that we haven't seen in years past.

I think that's important, Madam Speaker, for us to be able to bring those votes to the floor.

But it's also important to make sure that folks have all of the information in the same way that folks might be tempted to mischaracterize these balancing provisions that we're bringing forth today as some sort of Republican chicanery.

Folks might also be tempted to characterize something that is going to hasten the bankruptcy of Social Security as being something that has no consequence at all. There really are consequences to this decision. And to say to my friend I look forward to a robust debate on that because it's an important issue for American families.

With that, Madam Speaker, I would like to reiterate that on H.R. 527, six Democratic amendments offered, six Democrat amendments made in order. The House works best when the House works its will. The rule today is providing that opportunity.

I reserve the balance of my time.

Mr. MCGOVERN. I yield 30 seconds to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend from Georgia for engaging in good spirit in this dialogue.

I would simply want to make it clear: I think it's the position of our party very clearly the House should vote on whether to avoid this thousand-dollar

tax increase on the middle class. That's our position.

I think you can hear that the majority position is a little more nuanced than that. It is a yes-or-no question. We think there ought to be a vote on avoiding a thousand-dollar tax increase on the middle class. And we're ready to put our cards in the machine and do that.

□ 1400

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

My friend, the gentleman from Georgia, said that his party likes to pay for things. That statement startled me a little bit because they didn't think it was important to pay for the Bush tax cuts, mostly for the rich, which have now bankrupted us. They didn't think it was important to pay for the Medicare prescription drug bill, which was a lot more expensive than they had promised and was not paid for. They don't think about paying for the two wars that we're fighting in Afghanistan and Iraq.

We had balanced budgets when Bill Clinton left office. It was after that that everything got out of whack, and it was because of these tax cuts, which were mostly for the wealthy, and it was because of a prescription drug bill and two wars, all of which were not paid for. So I hope my friends on the other side have finally gotten religion on this issue in that it is important to try to pay for things as you go along and to embrace PAYGO as Democrats have done.

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

Ms. HAHN. I thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me this time.

Mr. Speaker, I just don't think Americans can wait, but here we are again today debating legislation that will do nothing to create jobs or to help families during these tough economic times.

I agree with my colleague from New Jersey that we think that there just needs to be a vote on the House floor on this payroll tax cut, which, so far, my friends on the other side are not agreeing to. There were 120 million American families that had \$1,000 more in their pockets this past year because of the payroll tax holiday that we passed. I believe we need to pass a new middle class tax cut, one that will save the typical family \$1,500.

Now, I do agree with my friend from Georgia about job creators. I love job creators, but I think I have a different point of view on what helps our job creators and what helps our small businesses. I spent Saturday, November 26, Small Business Saturday, shopping in small businesses.

I went into every one of them, and I talked to them about what would help them: What can we do in Congress to help you as a small business? Almost

every single one of them said, Do you know what we need? We need customers. We need Americans to have jobs, and we need them to have money in their pockets that they will spend in our small businesses. That will help us. I guarantee, if we were to get more customers, we would expand and we would hire more people.

The SPEAKER pro tempore (Mr. POE of Texas). The time of the gentlewoman has expired.

Mr. MCGOVERN. I yield the gentle-lady an additional 1 minute.

Ms. HAHN. We know that it's our small businesses that have hired almost 60 percent of the new jobs that we've had in this country. We know that \$1,500 would go back into the economy, and we know that that \$1,500, through this middle class tax cut, would help businesses in this country.

I know we've been called the do-nothing Congress; but in this instance, if we do nothing, Americans who can least afford it will see a tax increase come right after the holidays. I dare say, Americans who will see that kind of a tax increase in January might worry about how they're spending their money this December, and it may just affect their generosity, not only to their own families, but to those who are in need in this country.

Mr. WOODALL. I yield myself such time as I may consume, Mr. Speaker, to say I'm always happy to find things that I agree on with those across the aisle.

I'll say to my friend from California that we're both new in this House and that I spent my Saturday doing those very same things. My small business owners told me that very same thing, though they told me one more thing.

They said, Do get the foot of government off the throat of my small business. They did say, ROB, you cannot help me by doing more, but you can help me by doing less. You can help me by getting out of the way and by letting me do what I do.

The question then becomes how we get those customers in that store, and there are absolutely two visions for making that happen. We can either try to dispense more favors from Washington, DC, Mr. Speaker. We can try to pump more money that we don't have out of Washington, DC, money that we're borrowing from our children and grandchildren; or we can try to get folks higher- and better-paying jobs—more jobs—which is what this rule is about today.

We are running jobs out of this country. We are forcing jobs out of this country. The new report came out of over 150 nations, Mr. Speaker. We are number 69 in how easy it is for businesses to comply with their tax burdens, for example. Number 69. We should be the best place on Earth to do business.

What is it that raises salaries?

Sometimes my friend on the left suggests that we could just raise the minimum wage and just guarantee every-

body money, but I don't believe we can. What we can do is give folks an opportunity to increase their productivity. No worker on the planet works harder than the American worker. No worker on the planet has more productivity than the American worker, and regulation after regulation after regulation slows the American worker down. If you want to put more money in the American worker's pocket, you let the American worker be more productive by providing some balance.

Again, nothing we're talking about today, Mr. Speaker, says thou shalt not regulate. We know we're going to regulate. What we're saying is, let's regulate with balance. Then my friend's small businesses and my small businesses will have those customers that they need to get this economy moving again.

I reserve the balance of my time.

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

I just want my colleagues to understand that, if we were to extend the payroll tax cut, according to Mark Zandi, who is a Republican economist who advised JOHN MCCAIN in his Presidential campaign, it would create 750,000 jobs. He also says that we're likely to go into a recession if the payroll tax cut expires, if my Republican friends don't allow us to have a vote up or down on it. I am going to ask people to vote "no" on the previous question so that we can have an up-or-down vote on this and so that people will have an opportunity to make their views on this issue known.

The other thing is we've heard all this talk about what the cost of regulation is. Again, some of the numbers that have been touted here I question very seriously. OMB's calculations demonstrate that regulation has a positive net effect on the economy and not by a little. In 2008, the Bush administration's OMB estimated that regulatory costs for major rules were between \$46 billion and \$54 billion and that the benefits of those regulations were between \$122 billion and \$656 billion.

So it goes back to the point I was making earlier, which is what we should be doing on this floor today—debating a bill to put people back to work. We should be extending the payroll tax cut. We should also be talking about initiatives that the President put forward, these bipartisan initiatives. We should be doing things that will make a real difference in people's lives.

My friend talks about the American worker. There is no Congress, no Republican leadership in my lifetime that has been more hostile to the American worker than the leadership that runs this House right now, bringing bill after bill after bill to this floor to take away the rights of workers at every single level.

Do you want to know what one of the problems is with jobs moving overseas? It's that some of the incentives in our



tax laws have made it easier and even attractive for companies to pack up and go overseas and hire cheaper labor.

One of the problems with these series of bills that we're dealing with here today is that it will result in a rush to the bottom in terms of regulation—the lowest common denominator in terms of clean water and clean air standards—because, among other things, this legislation says that we should take into consideration the standards in other countries.

So China is going to now set our clean water and our clean air standards? Give me a break. Let's get real. Let's bring something to the floor that will make a difference in the lives of the American people, especially those who are unemployed. Let's bring a real jobs bill to the floor. Let's do something meaningful.

I reserve the balance of my time.

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

I could likely go back and forth all day long with my friend from Massachusetts believing that he loves workers more, with my believing that I love workers more and with his believing that to define "loving of workers" means we have to regulate them differently from Washington, D.C. For me, "loving workers" means we're going to free them to do those things that they do best, which is to produce.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time I would like to yield 2 minutes to a member of the Judiciary Committee whose amendment was not made in order by the Rules Committee, the gentleman from Georgia (Mr. JOHNSON).

□ 1410

Mr. JOHNSON of Georgia. Mr. Speaker, I rise in opposition to this rule and the underlying bills. Instead of creating jobs, the Grover Norquist/Tea Party Republicans are assaulting the very regulations that ensure we have clean air, safe water and food, along with safe prescription drugs and other products that Americans consume. They want us to create so many barriers and obstacles that it would essentially make it impossible for Federal agencies to do their jobs, all in the name of simply increasing the profits of big business.

The Regulatory Accountability Act would require agencies to perform 60 additional analyses and other procedural actions within the rulemaking process, further slowing down an already burdensome process. I am talking about bureaucratic red tape. They want to take it to the next level. They want to duct tape and blindfold and put a straitjacket on Federal agencies issuing regulations that help Americans. This would also make it much easier for large corporations to evade their obligations to protect the public by giving special interests multiple points in the process to tie up the process in knots.

The Regulatory Flexibility Improvements Act is no better. It's a wolf in

sheep's clothing. Don't be fooled. This is not about helping small businesses. It's about halting regulations and increasing the profits of big business. Under the guise of small business protection, it would subject any regulation that could conceivably have any direct impact on small businesses to a more lengthy process, thereby delaying the implementation of virtually any action any agency proposes and wasting agency time while doing so.

I urge my colleagues to oppose this rule and the underlying bills.

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

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

I would like to insert in the RECORD the Statement of Administration Policy, which is opposed to this legislation.

STATEMENT OF ADMINISTRATION POLICY  
H.R. 3010—REGULATORY ACCOUNTABILITY ACT OF 2011

(Rep. Lamar Smith, R-Texas, and 36 cosponsors, Nov. 29, 2011)

The Administration is committed to ensuring that regulations are smart and effective, that they are tailored to advance statutory goals in the most cost-effective and efficient manner, and that they minimize uncertainty. Accordingly, the Administration strongly opposes House passage of H.R. 3010, the Regulatory Accountability Act. The Regulatory Accountability Act would impose unprecedented procedural requirements on agencies that would prevent them from performing their statutory responsibilities. It would also create needless regulatory and legal uncertainty and increase costs for businesses, as well as state, tribal, and local governments, and further impede the implementation of commonsense protections for the American public.

The Regulatory Accountability Act would impose unnecessary new procedures on agencies and invite frivolous litigation. When a Federal agency promulgates a regulation, it must already adhere to the requirements of the statute that it is implementing. In many cases, the Congress has mandated that the agency issue the particular rule or regulation, and it often prescribes the process the agency must follow. Agencies must also adhere to the robust and well understood procedural requirements of the Administrative Procedure Act, and major rules are subject to the requirements of other Federal statutes such as the Regulatory Flexibility Act, the Unfunded Mandates Reform Act, and the Paperwork Reduction Act. In addition, for decades, agency rulemaking has been governed by Executive Orders issued and followed by administrations of both political parties. These require regulatory agencies to promulgate regulations only upon a reasoned determination that the benefits of the regulations justify the costs, to consider regulatory alternatives, and to promote regulatory flexibility. Lastly, final regulations are subject to review by the Federal courts to ensure that agencies satisfy the substantive and procedural requirements of all applicable statutes and consider input from the relevant stakeholders.

Passage of H.R. 3010 would replace this time-honored framework with layers of additional procedural requirements that would seriously undermine the ability of agencies to execute their statutory mandates. It would require cumbersome "formal" rulemaking for a new category of rules, for which agencies would have to conduct quasi-

adjudicatory proceedings. It would impose unnecessary new evidentiary standards as a condition of rulemaking. It would subject the regulatory process to unneeded rounds of litigation. Finally, the Regulatory Accountability Act would undermine the Executive Branch's ability to adapt regulatory review to changing circumstances.

In these ways and others, the Regulatory Accountability Act would impede the ability of agencies to provide the public with basic protections, and create needless confusion and delay that would prove disruptive for businesses, as well as for state, tribal and local governments.

If the President were presented with the Regulatory Accountability Act, his senior advisors would recommend that he veto the bill.

Mr. Speaker, jobs, jobs, jobs. That's what we should be focusing on today—not guns, not abortion, not reaffirming our national motto—jobs. We need to put people back to work. But that doesn't seem to be part of the Republican agenda, and it's hurting our country.

At the end of this year, as you have already heard during this debate, the payroll tax cuts signed into law by President Obama will expire. Without action, middle class Americans will see their taxes go up by a thousand dollars next year. Without action, GDP growth will fall by half a percent and will cost the economy 400,000 jobs according to the economic forecasting group Macroeconomic Advisers. Extending this tax cut is not just good for American families, it's good for the American economy. According to Ameriprise Financial, extending the payroll tax cut could add more than 1 million jobs to the economy.

Mr. Speaker, this is the kind of legislation that we need to be debating, not right-wing, hot-button social issues or bills that, when you add it all up, don't mean anything to anybody in this country.

But where is this extension of the payroll tax? It's not in this rule? It's not in the majority leader's schedule. In fact, the Republicans seem to be ignoring this issue.

It's sad. It's sad that the Republican leadership would rather raise taxes on middle class Americans basically to protect tax breaks of millionaires. If there was a vote right now on a bill that was going to cut one penny, it was going to cost Donald Trump one penny more in taxes, the other side would be overfilled with speakers. But we're talking about middle-income Americans, struggling Americans, that if we don't act by the end of this year they will see a \$1,000 increase in their taxes.

Now, we can change all that here today. We can change that here today and actually bring to the floor something that is meaningful. If we defeat the previous question, I will offer an amendment to the rule to require that we vote on a payroll tax holiday extension for next year. If we don't pass an extension, all working Americans will get a little less in their paychecks beginning in January.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous materials prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, again I urge my colleagues to vote "no" and defeat the previous question so we can make sure that working families do not see their payroll taxes go up while we're still struggling to recover from a recession. This is exactly the type of action that people all over the country are hoping this Congress will move on.

I urge a "no" vote on the rule, and I yield back the balance of my time.

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

I'm proud to be here with you today, Mr. Speaker. When we talk about jobs, jobs, jobs, that's why I came to Congress, and that is exactly what we're talking about in this rule today. And I hope, Mr. Speaker, you have seen with great concern what I have seen here today, and that is a complete disconnect, it appears, with my colleagues on the other side with the understanding that increasing regulation, needlessly increasing regulation, burdens the American worker, undermines the American economy, thwarts jobs. And I say, Mr. Speaker, this is one of those things on which if we disagree we're just going to have to agree to disagree, because it is as clear to me as it is that the sky is blue that when you increase the regulatory burden you make the American family poorer for it.

I know I can't ask for a show of hands here, Mr. Speaker, but if I did and said, Who is it, who wants dirtier drinking water back home in their district? Who is it that doesn't drink from the same spigot as the rest of us? Who is it that doesn't shop at the same grocery stores as the rest of us? Who is it who doesn't drive on the same roads as the rest of us? We're all in this boat together. We're all this boat together, Mr. Speaker.

I come from the Deep South, and whenever we start talking about environmental issues, it always gets me so pumped up, because, dad gum it, nobody spends more time outside than I do. Nobody cares more about the environment than I do. And yet time and time again you hear that characterization that somehow asking for a balanced regulatory environment, a balanced regulatory environment, is somehow anti-environment or anti-American.

I must tell you, Mr. Speaker, these bills before us today, the Regulatory Flexibility Improvements Act, the Regulatory Accountability Act, that's why I came to Congress. That is why I came to Congress.

We cannot make everybody rich, but we can make everybody poor. And when we regulate without regard to the

benefits of that regulation, without regard to the burdens of that regulation, that's exactly what we do.

My friend quoted the OMB, talking about the values of regulations. I don't dispute that at all. I'm absolutely certain there are some regulatory initiatives that do, in fact, produce a benefit. All I'm asking for is that we balance that benefit with whatever burden it causes, because—and this is a rhetorical question, Mr. Speaker, but do folks honestly believe that the regulatory burden should exist irrespective of the benefits that it provides. That's what we do. In these two pieces of legislation, Mr. Speaker, we ask regulatory agencies to examine those benefits and burdens.

Now, as my friend from Massachusetts talks about partisan politics, I come from a district that was a proud "no" vote on both the ridiculous stimulus bill from the Bush administration and the ridiculous stimulus bill from the Obama administration.

□ 1420

We are equal opportunity "no" votes on ridiculousness. And that is what we have here as we try to reclaim some regulatory authority from the executive branch agencies.

I'll be the first to say, Mr. Speaker, that I think the Congress went a little light on President Bush. And I certainly believe the last 2 years of the Democratic Congress went a little light on President Obama. I think we have a constitutional duty to defend our legislative prerogative to make the rules that this Nation abides by, not an unelected bureaucrat downtown, but elected officials right here in Washington, D.C., here in the people's House, those of us who have to go home and subject ourselves to voters every 2 years. This is where that authority belongs. And we should have those votes. Yes and no, we should have those votes on whether or not that's our shared vision of America.

Now I'm going to get a little off topic, Mr. Speaker. It's clear to me that we're going to be talking about the payroll tax over the next week or 10 days. I want to encourage all of my colleagues to understand that's not a free discussion. Every penny that you choose not to deposit in the Social Security trust fund is a penny closer to bankruptcy the Social Security trust fund comes.

It's easy to say you're going to get something for nothing, but we're not. \$15 trillion in debt, Mr. Speaker; \$15 trillion. We've already been giving away something for nothing for far too long. The question is how can we both help the middle class taxpayer with their tax burden and preserve Social Security for generations to come. It's not a freebie, Mr. Speaker. These are tough questions that require serious answers, not on a motion to recommit, not on a motion to instruct, but in thoughtful committee consideration.

I'll get back to the rule now because this has had thoughtful committee

consideration. Both the underlying provision and the rule itself have gone through regular order. Mr. Speaker, there's no need to rush these bills to the floor. We can take them through the process to make sure that they are thoughtfully examined line by line by line. And these bills have been.

Interestingly enough, Mr. Speaker, that's all these bills are asking of our administrative branch agencies—that the regulations that they're promulgating be examined line by line by line to make certain that the benefits outweigh the burdens.

It's a surprise to me, Mr. Speaker, that it's even something that we're arguing about today. I would have thought that this is common sense. Certainly in my district it's common sense. Perhaps other constituencies feel differently—balancing the benefits with the burdens. Don't let folks tell you, Mr. Speaker, that regulations come without a burden. I'll give you an example. I have a cardboard box manufacturer in my district, manufactures cardboard boxes. It may not be glamorous work, but it's important work. I was visiting the plant the other day. They said: ROB, when they were talking about the ethanol regulations, did they ever talk about the impact the ethanol regulations would have on cardboard box manufacturers?

I said I wasn't in Congress then, but I never heard about it.

They said when you decided that you were going to insert ethanol in every gallon of gasoline, you also decided you were going to raise the price of corn. And we use corn starch in the glue that holds our boxes together, and we use corn starch with our fiber to make our boxes stronger. And every time you pass a regulation that increases the use of ethanol and decreases the availability of corn to other sources, you raise the price of our boxes. You can produce boxes anywhere in the world; and if we can't stay competitive, we're going to lose this business overseas.

Mr. Speaker, there are unintended consequences to the work of this body every single day, and the arrogance to believe we can foresee them all astonishes me. We must understand our fallibility. We must understand that we cannot foresee all of those consequences.

So every time we have an opportunity to measure, Mr. Speaker, every time we have an opportunity to look at the pros and the cons to ensure that we're getting it right, Mr. Speaker, every time we pass a regulation, we steal freedom from someone somewhere. Understand that. Every time we pass a regulation, we steal freedom from somebody somewhere.

Our government is a social contract where we agree to give up individual liberty so we can exist collectively. We have public services for safety and fire, on and on and on. But every single one of those comes at the expense of personal liberty. But we have decided that the expense is worth it.



Mr. Speaker, these bills do that today: balance benefits and burdens, provide that information to the American voter, and let's make sure that what we're doing is worth it.

Mr. Speaker, this is an example of how one ought to do a rule, how one ought to open up the process, how one ought to encourage debate on all of the ideas that are brought to this House floor. I encourage strong support for this rule. I encourage strong support for the underlying legislation.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 477 OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new section:

SEC. 5. Not later than December 16, 2011, the House of Representatives shall vote on passage of a bill to extend the payroll tax holiday beyond 2011, the title of which is as follows: "Payroll Tax Holiday Extension Act of 2011."

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the

motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. WOODALL. 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.

#### WORKFORCE DEMOCRACY AND FAIRNESS ACT

Mr. KLINE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3094.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 470 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3094.

□ 1427

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3094) to amend the National Labor Relations Act with respect to representation hearings and the timing of elections of labor organizations under that Act, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

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

The gentleman from Minnesota (Mr. KLINE) and the gentleman from Cali-

ornia (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, I rise in support of H.R. 3094, the Workforce Democracy and Fairness Act, and I yield myself such time as I may consume.

The legislation we are considering today is straightforward. It reaffirms workforce protections that have been in place for decades.

Across the country, the American people are asking: How can we get this economy moving again? What will it take to finally put people back to work? And Washington is responding with a number of answers. Some think we should support more spending, more taxes, and more regulations. In essence, they are asking the country to double down on the same failed policies of the past.

My Republican colleagues and I believe we should chart a different course, one that includes removing regulatory roadblocks to job creation. The Workforce Democracy and Fairness Act is part of that effort. The legislation says we shouldn't allow unelected bureaucrats to dictate policies that make our workplaces less competitive.

In June the National Labor Relations Board proposed sweeping changes to the rules governing union elections. Under the board's radical scheme, employers would have just 7 days to find an attorney and navigate a host of complicated legal issues before confronting an NLRB election official. Employees will have as little as 10 days to decide whether they want to join a union, denying them an opportunity to gain valuable information and make an informed decision.

The NLRB is already telling employers like Boeing where they can and cannot create jobs. Now the board wants to take away a worker's right to make a fully informed decision in a union election. This proposal largely prohibits employers from raising additional legal concerns, denies answers to questions that can influence the vote, and turns over to union leaders even more personal employee information.

Let's get something straight: The board's scheme isn't about modernizing the election process. This is a draconian effort to stifle employer speech and ambush workers with a union election. Less debate, less information, and less opposition—that's Big Labor's approach to workers' free choice, and it is being rapidly implemented by the activist NLRB.

□ 1430

For 4 years Democrats controlled this Congress. To my knowledge, not once did they try to streamline the union election process. Not once. They did champion a failed effort to strip workers of their right to a secret ballot, but they didn't bother to offer any solutions to the alleged problems they now say plague the election process.

Today, union elections take place in an average of 31 days, giving workers a month to consider the monumental