

Senate come back to town and join us in passing a long-term extension of the payroll tax cut. Anything less is unacceptable.

#### SUPPORT SENATE SOLUTION

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

Mr. GEORGE MILLER of California. Mr. Speaker and Members of the House, it is so unfortunate that today we find ourselves continuing to argue over whether or not an extension of the middle class tax cut should take place now as opposed to continuing to try to load the bill up with poison pills, cutting off people's unemployment insurance, and getting into an argument with the Senate.

The proposal after a year of deliberations that the Republicans came up with was rejected in the Senate on a bipartisan basis. Another bill was passed overwhelmingly to give us a 2-month extension so that we can continue to try to work out a long-term solution to a middle class tax cut without accepting poison pills.

But now what we see is the Republicans choose to turn down that compromise that brought the Senate together, that can bring this House together, to refuse to let us have a vote on that measure because they know there will be bipartisan support for that measure in this House.

We can come together and, in this holiday season, give American middle class families the security that they will have a continuation of the tax cut on January 1, but that's not what the Republicans are going to do. They're going to throw families and our economy into chaos for the sake of trying to make political points.

#### PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 3630, MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011; PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 501, SENSE OF HOUSE REGARDING ANY FINAL MEASURE TO EXTEND CERTAIN EXPIRING PROVISIONS; AND FOR OTHER PURPOSES

Mr. SCOTT of South Carolina. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 502 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 502

*Resolved*, That upon adoption of this resolution it shall be in order, without intervention of any point of order or question of consideration, to take from the Speaker's table the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, with the Senate amendments thereto, and to consider in the House a motion offered by the chair of the Committee on Ways and

Means or his designee that the House disagree to the Senate amendments and request a conference with the Senate thereon. The Senate amendments and the motion shall be considered as read. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

SEC. 2. Upon adoption of this resolution it shall be in order, without intervention of any point of order or question of consideration, to consider in the House the resolution (H. Res. 501) expressing the sense of the House of Representatives regarding any final measure to extend the payroll tax holiday, extend Federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries. The resolution shall be considered as read. All points of order against provisions in the resolution are waived. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means.

SEC. 3. During consideration of a motion to instruct conferees pending their appointment to a conference on H.R. 3630, the previous question shall be considered as ordered to its adoption without intervening motion except one hour of debate under clause 7(b) of rule XXII. Such motion shall be considered as read and shall not be subject to any question of consideration.

SEC. 4. During consideration of a motion specified in the first section of this resolution or section 3 of this resolution, the chair may—

(a) notwithstanding the operation of the previous question, postpone further consideration of the motion to such time as may be designated by the Speaker as though under clause 1(c) of rule XIX; and

(b) postpone the question of adoption of the motion as though under clause 8 of rule XX.

SEC. 5. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of January 17, 2012.

SEC. 6. It shall be in order at any time through the calendar day of January 15, 2012, for the Speaker to entertain motions that the House suspend the rules as though under clause 1(c) of rule XV.

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

Mr. SCOTT of South Carolina. Thank you, Mr. Speaker.

For the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself as much time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. SCOTT of South Carolina. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SCOTT of South Carolina. House Resolution 502 provides for a motion to go to conference on H.R. 3630 and for a closed ruled on H. Res. 501.

Mr. Speaker, I rise today in support of this rule and the underlying bill.

□ 0920

To be honest, Mr. Speaker, being here today is almost ridiculous because last week the House passed a very good bill, and the three major components of it are very simple:

Payroll tax extension, a holiday—not a 60-day holiday, but a 1-year payroll tax extension that is paid for;

Unemployment insurance; we addressed unemployment insurance in a very compassionate way, working as the President has suggested. We need to cut it by 20 weeks over time. So our House, in a bipartisan fashion, is working to take it from 99 weeks to 59 weeks, holding in truth the spirit of our President;

Finally, the doc fix. If we're going to keep Medicare and the recipients of Medicare whole, we have to address the reimbursement rates of the doctors. This doc fix stops an almost 30 percent cut in the reimbursement rate.

But beyond that, we decided that it is time to create American jobs. So the Keystone pipeline that creates more than 20,000 jobs is in this bill. But not only do we want to create jobs, we want to save jobs, and so you think of the Boiler MACT that saves more jobs than the pipeline creates. Unfortunately, Mr. Speaker, our friends on the left want to continue to hold the middle class hostage because they have a plan to continue to raise taxes as they have over the last year.

As a matter of fact, in 2010, in one bill only, Mr. Speaker, they raised taxes on the middle class, and this year, because we're moving into an election year, they decided it's time to remember the American middle class. Last year, they were taxing that middle class and taxing that middle class and taxing that middle class.

Let me give you a few examples:

A new \$123 billion of taxes on the middle class in investment income; a hike in Medicare payroll taxes with \$86 billion passed through to the middle class.

I don't know why this year all of a sudden they want to talk about tax breaks for the middle class and only give them 60 days, Mr. Speaker. I believe that the middle class deserves certainty, and our bill gives them certainty. We say for 1 year we need to extend to the middle class, people who are struggling every day to make their ends meet.

Our friends on the left are getting ready for campaign season, so what they're really concerned about is themselves. But what we've said is, when you take into consideration that a person who needs a medical device must now pay a pass-through tax upwards of \$20 billion, that's not compassionate. That's not fair, Mr. Speaker.

When you think about tanning services, a \$2.7 billion pass-through tax to the middle class on tanning services. Now, I'm not quite sure what tanning services has to do with health care, but we find ourselves in the midst, sir, of another backdoor tax increase on the middle class.

Or if we need drugs in the future, let's go ahead and tax the innovating companies \$22 billion and pass it to the middle class.

Or if you don't like those taxes, we've got another one on health insurers. Let's take \$60 billion out of the pockets of the middle class by making the insurers pay more, which they know they will pass it through to the middle class.

But since that may not be enough, they decided that they would actually tax the health plans of the middle class, \$32 billion on the plans of the middle class.

I just don't understand it, Mr. Speaker. We must not only extend this tax cut for the middle class; we must also pay for it.

As I was talking to one of my constituents, a 57-year-old who makes \$650 every 2 weeks, every 2 weeks she brings home \$650, and she needs her \$600 tax cut. But she's very close to Social Security so she says to me: TIM, please, as you provide an extension of the tax cut, please don't raid the Social Security funds.

So we on the right have decided, in a bipartisan way, to work with the President. Our offsets include 90 percent offsets that the President, himself, has agreed to. In a bipartisan way, we address the payroll tax extension. We keep Social Security as solvent as it can be today, and we continue to make sure that senior citizens have doctors who will see them because we fixed the problem of reimbursement rates. And unemployment is now a greater incentive for work than it has been in more than 2 years or so because we're taking 99 weeks and we're working in a bipartisan fashion with the President and taking it down to 59 weeks for some States.

Once again, Mr. Speaker, I rise in support of this rule, and I reserve the balance of my time.

Ms. SLAUGHTER. Good morning, Mr. Speaker.

I want to thank my friend, Mr. SCOTT from South Carolina, for yielding me the customary 30 minutes and yield myself such time as I may consume.

A lot of verbiage is going on here this morning, but Mr. and Ms. America, let me tell you what we're doing here—nothing. We were promised that we could have a vote to concur in what the Senate did, 89-10, give it to the President and make sure that the payroll tax continues, but that's not what we're doing here today.

What they changed that to is to reject what the Senate did and ask for a conference, which the other side, the leader of the Senate says he is not going to do. We could have done all of

this last week, but instead, 435 of us have been flown back here this week to do absolutely nothing.

At the end of the day here, we will not have accomplished a thing. There will be no payroll tax; there will be no unemployment insurance; there will be no doc fix. It just simply says we reject what they did, 89-10, which is a miracle in itself, but we're not going to do anything here. We're just going to kick it over to the other side.

In addition to this, the President has not signed the omnibus bill. I think he was going to wait for this one, which means that come Friday the government could shut down. We have once again this brinksmanship of hanging by our thumbs.

So if I can make any point today for America: Don't pay any attention to that man behind the curtain here. We are not doing anything. We could have but we are not.

And after that great expense of shutting us all back and forth last weekend, we come here today, and we really had a rare opportunity to truly come together and provide the vital assistance to Americans in need. The Senate certainly answered the call in a bipartisan bill, which was really quite wonderful. It made us all feel really good about the Congress. It may have even made us go up from 9 to 10 points for all I know.

But they passed a bill with support of 89 Senators, and 80 percent of the Republican Senators, and I'm very proud of them. Not only did they vote for that, but they are signaling their great displeasure that the House can't do the same. And until Saturday night, this bill had the blessings of the Speaker of this House.

After a year of bitter battles in Washington, we stood on the brink of a bipartisan agreement to lower taxes and provide much-needed assistance to those who are struggling to get through the holiday season through no fault of their own, having lost their employment, that is, until a small army of ideologues said "no" and demanded that a truly bipartisan bill be tossed out in the cold. What a shame.

So we meet today at the height of the Christmas season as the timeworn tales of Tiny Tim and Mr. Scrooge are playing out in theaters across the country and here in the House. Will we come together to provide a gift for the American people or will a small group of ideologues let taxes rise and the unemployed go without housing and food as we ring in the new year?

It is my belief, and certainly borne out, I think, by not a shortage of media this morning, that one of the reasons that the vote today is to reject the Senate bill was had we had a vote to concur in it instead and say that we agreed with what the Senate had done, then it would have passed.

Now, I spoke about this game of brinksmanship last week, and certainly, you know, we've gone the whole year hoping that there would be no

payroll tax on the other side. They didn't believe in that and certainly did not believe in the extension of unemployment. Now, suddenly today, we can't just have two months; we've got to have a year.

□ 0930

The reason they couldn't get a year in the Senate was the difference of opinion on how to pay for it. It was decided that, with the 2-month extension, we would keep it, that we would not lose it after 2 months. During those 2 months, the House and Senate, we would hope, would be working out ways we could continue it for a year. There is not going to be that great hardship of bookkeeping that everybody is talking about. We were going to take our time to fix it during those 2 months, but the 2 months is basically an emergency measure which is being turned down by the House of Representatives.

We'd love to live in a world where every single principle we believe in could be made true, where those who disagree with us would bend to our wishes and support our views, but quite simply, we don't live in that world. After the majority spent the entire year ignoring the need for an extended tax break and renewed insurance for the unemployed, I've heard frequent refrain in the last 24 hours that the policies we are considering today should not be implemented for 2 months but, rather, for a year. That is pretty recent.

The majority should be heartened to know that hardly a soul in the body disagrees with it. We all wanted a year, as did the President of the United States. As I've said before, we know that we will get that year and that we will have the 2 months to work on getting that extension. However, after weeks of negotiation, 435 legislators can't agree on an equally important point: how to pay for the tax cuts for a year.

The Democrats have said that millionaires and those who have benefited the most in the past decade should pay for this tax break. The majority has said that seniors receiving Medicare should pay instead, which was, indeed, in the bill passed here last week. This simple but profound disagreement is part of what has led us here today.

The other part of the equation is that the majority needed to design a vote by which, no matter the vote totals, they would never lose. Isn't that clever? If we had another month to work on resolving our disagreement, we could continue to debate without pause. However, the clock is about to hit midnight, and the taxes of millions of Americans and the unemployment insurance of millions more are about to be harmed because we won't strike a deal.

By now, it should be obvious why we must pass this Senate agreement. It's time that all of us accept the world as

it is. It's time that we came to a compromise, a compromise to benefit millions of Americans in this time of holiday cheer for some. There will be many more debates in the months to come about how to help the American people, but now we must seize our opportunity and provide for the millions of Americans who sent us here in order to make sure the season can be a little better than the last.

So I'm going to urge my colleagues to defeat the previous question when we get to that point, but I want to reiterate again that nothing is happening here today. When we leave here, the tax cut will not be extended; unemployment will not be extended. We will simply go back home to await the consequences of what we're doing here today. I deeply regret that because I would have liked nothing better than the bipartisanship that the Senate showed in this time of need to have been on display here as well in the House of Representatives.

I reserve the balance of my time.

Mr. SCOTT of South Carolina. I yield myself such time as I may consume.

I'm not quite sure if I heard the gentlelady from New York correctly, but she seemed to allude, or to suggest, that the President might not pass the omnibus bill because of this bill, which sounds like a reaffirmation of the fact that they are playing politics on the left while we on the right consistently look for ways to help the middle class.

In addition, when Republican Senator JIM DEMINT and President Obama and Speaker BOEHNER and Democrat Senator MANCHIN are on the same page on the 1-year extension, we ought to act as a sounding board for those four, who are typically in opposite corners.

Mr. Speaker, I yield 3 minutes to the gentleman from the great State of Georgia, Dr. ROB WOODALL.

Mr. WOODALL. I thank my colleague from South Carolina for yielding.

He knows just how excited I am to be down here today. He knows how excited I am because, unlike what my colleague from New York suggests about accepting how the world is, today's a day where we decide: You know what? We can do better. We can do better.

The million folks I represent back home in Georgia don't want to accept the way this body operates today. They want us to do better.

I know, when this body passed this 1-year extension last December, they knew we were going to be back here today. For a year, we've known we were going to be back here today. To suggest if only you'll give us another 60 days we'll do better, that's the way this House has worked in years past. Yet this year—this year—this body has said, if these issues are so important to the American families—and they are—and that if these issues are so critical to the economy—and they are—why do we need another 60 days? Why not do it today? We know that it has to happen. We know that it's coming. Why can't we get together and do it today?

Now, I tell you, I've studied majority politics in this body. Traditionally speaking, the majority, which the Republicans are, would just bring a bill to the floor and jam it through—my way or the highway. You've seen it. You've seen it when Republicans have done it, and you've seen it when Democrats have done it, and it could have happened that way again today.

But what did the Rules Committee do?

The Rules Committee didn't say, My way or the highway. The Rules Committee said, We've got a position here in the House. They have a position. They're in the Senate. Let's do what we've been doing for hundreds of years, and let's come together in a conference to work out our differences.

There are those in this body who would rather work out our differences on the front pages of newspapers, and there are those in this body who would rather work out our differences on Sunday morning talk show programs, but I don't think that's the best way to get the people's business done, and neither do the million folks back home whom I represent.

It's okay that we disagree about what this policy ought to look like. It's not okay if we let the disagreement put the economy in peril and put the budgets of hardworking American taxpayers at home in peril. We can do better, and we are doing better. We are doing better.

The traditional process would have been to go ahead and put this bill through late last night by calling everybody back. We could have just gone ahead and passed it in the dark of night. But the folks said, You know what? That's not the right way to operate this body. We can do better if we're proud of what we're doing. Let's put it off until tomorrow morning. Let's do it in the light of day, and let's let everybody have their say.

That's what we're doing.

That's why we're here today.

I say to my friend from South Carolina: I am proud that we serve on that Rules Committee together. I am proud of our leadership for giving us this opportunity to be open. I am proud that it is not a small band of rebels in the Republican Conference, as my friend from New York would suggest, who are hijacking this process. Rather, it is a proud band of 240 Republicans who say that regular order has merit. Let's do it in the way that we have done it for hundreds of years—House bill, Senate bill.

Let's come together, Mr. Speaker, and work out those differences.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Massachusetts and a member of the Committee on Rules, Mr. MCGOVERN.

Mr. MCGOVERN. Mr. Speaker, last night, at the direction of the Republican leadership, the Rules Committee voted out a martial law rule that will deny the House of Representatives an

up-or-down vote on the bipartisan Senate compromise. No vote.

We're only days away from seeing 160 million hardworking middle-income Americans see their taxes increase, and there is no vote. We're on the verge of allowing 2 million jobless people to lose their unemployment benefits and 48 million seniors to lose their health care, and the Republicans tell us there can be no vote. Are you kidding me? Last night, my friends defended their delaying tactics by saying all they wanted was to protect regular order when it comes to legislation. Since when? Regular order? Please.

The Rules Committee is becoming a place where democracy and fairness go to die. This process is shameful. We have a habit in this House in which we like to point fingers and blame at the Senate for its dysfunction, but we can't do that today because the Senate actually functioned and gave us a bipartisan compromise. It's not perfect, and we all want a 1-year extension of the payroll tax cut. Yet, as we struggle to find acceptable pay-fors, which up to this point we have not been able to do, the U.S. Senate has provided us with a bridge to get there.

This compromise includes a short-term extension of the payroll tax cut, unemployment insurance, and the doc fix. The package also includes a requirement that President Obama make a decision on the Keystone XL pipeline, which many of us find hard to swallow. Democrats get something they want, and Republicans get something they want, but that's not good enough for House Republicans.

At a time when the American people want Democrats and Republicans to work together, the Senate actually did. That politicians can come to agreement on important matters I believe is a good thing. But what's a bad thing is what we're doing here in the House today—trying to scuttle this deal by denying us a vote.

□ 0940

In today's Washington Post, a Republican Member is quoted as saying, "It's high-stakes poker." Well, Mr. Speaker, this is not a card game. In fact, this is not a game of any kind. Let me inform my Republican colleagues that this is real life, with real people and real consequences. I would say to the Republican leaders of this House, Show us that you can govern. This is time for an adult moment. It's time to tell your Tea Party wing that the American people come first. It's time to put country ahead of political party.

We're less than 12 days away from a tax increase on middle class Americans; and instead of doing what's right for 160 million Americans, the Republican leadership is playing politics, denying us a vote, and ensuring that today, when all is said and done, we will accomplish absolutely nothing for the American people.

I urge my colleagues on both sides of the aisle, vote down this rule. Don't

leave town until we have a chance to vote on the Senate compromise so that we can ensure that millions of our fellow citizens don't see their taxes going up during these difficult economic times. Give us a vote. Why won't you give us a vote? We demand a vote. Let us have a vote so we can do what's right for the American people.

Mr. SCOTT of South Carolina. Mr. Speaker, I will just simply say that if you are looking for a bipartisan approach to legislation, if you are looking for someone who wants to work with the White House, 90 percent of our offsets have been agreed to by the President.

And I will simply say that when the President is right—and I don't agree with him very often—he is right. The President said that Congress should not go home for vacation until it finds a way to avoid hitting 160 million Americans with a tax hike on January 1. It would be inexcusable for Congress not to extend this tax holiday for an entire year.

I think a bipartisan approach has been taken. I am assured by that fact because the President and I are on the same page, and that doesn't happen but once every year. It must be Christmas.

I yield 3 minutes to the gentleman from Texas, Chairman JEB HENSARLING.

Mr. HENSARLING. The American people know why we are here today. We are here today because the President's economic policies have failed. Since the President was elected, unemployment has been at, near, or above 9 percent, one in seven on food stamps, small business startups at about a 17-year low. That's the Obama economy.

And because of that, Mr. Speaker, almost every single Member of the House and Senate agree that we should extend the payroll tax holiday for another year. What is so confusing to many of us is that, as my friends on the other side of the aisle say, yes, we need to do this for a year, like the President said, like the American people expect, and yet they all want to vote against it.

So the disagreement we have here is: Do you want to punt the ball down the field, do you want to do this for 60 days and do it again in 60 days for another 60 days, or do you want to solve the problem? That's the first debate. And it really begs the question: Why? Why do we have so many people saying they want to do this for a year and yet they're only willing to vote for 60 days? Are people more interested in making a law that will benefit the American people or are they more interested in making a campaign issue that may benefit their own reelection campaigns? That's the question.

The second point of debate is: The American people, many of whom are suffering because of this economy, they're willing to work over the holidays. Are we willing to work over the holidays? The House is willing to work. The question is: Where is the Senate; okay?

Since the dawn of the Republic, we've had this thing called a conference committee. You know, if you took Civics 101, you will remember it. The House passes a bill; the Senate passes a bill; they come together in a conference committee and they work out their differences. We stand ready to work over the holidays.

And here's the third point: Do you want to pass a bill for messaging purposes or do you want to pass a bill that works? ABC reported last night, "Two-Month Payroll Tax Holiday Passed by Senate, Pushed by President, Cannot Be Implemented Properly, Experts Say."

The National Payroll Reporting Consortium—this is the group that handles all the payroll issues for practically a third of all of the private sector workers in the country—said that it "could create substantial problems, confusion, and costs affecting a significant percentage of U.S. employers and employees."

And, in fact, the Associated Builders & Contractors have said: This sort of temporary fix underscores Congress's uneven ad hoc approach toward the economy and causes more harm than good for America's job creators.

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

Mr. SCOTT of South Carolina. I yield the gentleman an additional 30 seconds.

Mr. HENSARLING. So, Mr. Speaker, it really comes down to this: If you say you want to do this for a year, put your vote where your rhetoric is. If you are not willing to work over the holidays, admit to the American people you're not willing to work over the holidays. And if you want to support a bill that actually works, talk to the job creators in America.

That's the problem in Washington—people get isolated. Talk to the people who are absolutely responsible for this, and they will tell you this 60-day ad hoc approach doesn't work. That's why we need a rule to go to conference and put forth something the American people want and need.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from Colorado (Mr. POLIS), a member of the Rules Committee.

Mr. POLIS. I thank the gentlelady from New York for the time.

These last 2 weeks have really shown us the tax-and-spend Republican Party up close. First we passed a defense authorization with over \$800 million in earmarks, according to a study by CLAIRE MCCASKILL. Then we passed a huge omnibus spending bill that spent over \$900 billion, actually increasing defense spending, all deficit spending, spending, spending, spending. But, oh, now it gets worse. Republicans are poised today to raise taxes by tens of billions of dollars. Worse yet, they are not even allowing a vote to keep taxes where they are.

Whether this bill passes or not, make no mistake, it's purely symbolic as it

advances no bill to President Obama to keep taxes where they are. And so they will go up on January 1 by \$1,000 for the average American family, costing American taxpayers tens of billions of dollars without even helping reduce the deficit, since this Republican tax increase is money the Republicans already spent last week in the omnibus \$900 billion spending spree.

Spending, spending, spending. Taxes, taxes, taxes. The deficit goes up, up, up. You can't tax your way out of this budget problem this country is in, but the Republicans have been trying to do just that for these last few weeks.

To solve our budget problem, we need to cut spending. Now, there are some balanced plans out there; and most experts agree that as part of a balanced plan with spending cuts, some revenues are necessary.

In fact, President Obama put together the Simpson-Bowles bipartisan plan. The Republican leadership didn't allow a vote.

The "Gang of Six" in the Senate put together a bipartisan proposal to cut spending and balance the budget. The Republican leadership didn't allow a vote.

The supercommittee was supposed to come out with a budget fix that includes everything we're talking about here today—the SGR fix, the payroll tax, unemployment insurance—but it failed. The Republicans walked away.

Now, President Obama and a bipartisan group of 90 percent of the Senate proposed not increasing taxes, and yet the Republicans are refusing to bring it to the floor. So, instead of a balanced plan with spending cuts, here we are on the heels of a huge Republican omnibus spending bill with record deficit spending and tax increases, raising taxes, and raising taxes on the middle class. The tax-and-spend Republican Party is here today and here to stay.

Not only that, but while the people of the country are waking up, Congress is going to sleep. With 10 days left and so much work to do, Republicans took the evening off rather than working through the night to try to get something as quickly as possible so the Senate might be able to reconvene. They gave themselves the night off. Congress didn't even debate this topic or have a single vote yesterday night with 10 days to go.

I urge a "no" vote on the rule, a "no" vote on the bill, and urge the Speaker and the tax-and-spend Republican leadership to let us vote now on preventing a huge tax increase on January 1.

Mr. SCOTT of South Carolina. Mr. Speaker, I enjoy listening to my friends on the left talk about how they need to get on our side and stop the tax increases. But the funny problem is that the American people may like what they say, but they don't like what they do. I would only suggest and ask people to check the voting record on the tax increases.

I would also say that our bill, our payroll tax extension bill, reduces the

deficit, the debt by \$953 million, a \$953 million reduction.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida, Sheriff NUGENT.

□ 0950

Mr. NUGENT. I would like to thank the gentleman from South Carolina for yielding me this time.

Mr. Speaker, just think about this. Three days ago, Saturday, President Obama said: "It would be inexcusable for Congress not to further extend this middle class tax cut for the rest of the year."

The same day, House Minority Leader NANCY PELOSI said: "House Democrats will return to Washington to take up this legislation without delay, and we will keep up the fight to extend these provisions for a full year."

And on Saturday, Minority Whip HOYER said he was disappointed that the Senate would not agree to a longer-term extension.

Mr. Speaker, what the Senate has done—and we've heard this term so many times before—it's about business as usual. Let's not make a decision we can put off for another 2 months. This House, in a bipartisan way last week, came up with a 1-year extension and a 2-year doc fix extension that will help those individuals provide medical services to our seniors, that gives them a sustainable way to look forward on our docs and a doc fix for 2 years, not 2 months.

When you hear from other individuals in the real world, those that have to implement a policy that was designed by those in the Senate for 2 months, think about it. When you have to report that tax to the Federal Government, it's quarterly, not 2 months. How are they supposed to do that? How do you reconcile that difference? Once again, the Senate refused to take action that the House did. Everybody talks about what the Senate has done. The House passed a bipartisan bill and moved it forward in regards to a 1-year extension on unemployment benefits, 1-year extension in regards to the payroll tax, and a 2-year doc fix. That's what the House did.

Now all we're asking is that we go to regular order, just like they have done for hundreds of years when the two bodies can't agree. When the two bodies can't agree, they go to conference, where conferees from both sides sit down and hash it out and come up with a resolution to bring back to both bodies. That's what you're supposed to do. That's what our Founding Fathers envisioned; not backroom deals, not things cut in the dead of night. It's not about us voting—and thank God that our Speaker saw the light in regards to not voting in the dead of night. He believes in regular order. He believes that we should move forward as a body and go to conference with our Senate brothers and sisters to decide the course that we need to make.

I can't believe, I can't believe that there aren't folks in the Senate that

couldn't get this done with our Members in this House and get it done in 2 weeks.

Mr. Speaker, I support the rule, and I wholeheartedly support the underlying legislation.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California, the distinguished ranking member of the Committee on Education and the Workforce, Mr. MILLER.

Mr. GEORGE MILLER of California. Mr. Speaker, unfortunately with the procedure that the Republicans are using today, we miss an opportunity for the House and the Senate, Republicans and Democrats, to come together around an extension of the middle class tax cut for the next 2 months. It's unfortunate that it's for 2 months, but the Republicans in this House sent to the Senate a very extreme bill for 1 year by slashing people's unemployment benefits, ruining those families' ability to survive this period of economic downturn. And the Senate rejected that on a bipartisan basis.

The Senate was then encouraged by the Speaker of the House to negotiate a deal. HARRY REID and MCCONNELL negotiated a deal, and the Speaker of the House said he thought it was a good deal. In fact, he used the word "victory."

Then when the suggestion was why didn't we vote last week, it was, well maybe when it came back from the Senate we could do it on some sort of unanimous consent procedure.

Then there were rumbles in the House that there were going to be Republicans in the Republican caucus that wanted to join the 39 Republicans in the Senate that voted for this procedure. And all of a sudden what we see is the emergence of the Tea Party Republicans slapping down that idea, slapping down the idea that there'd be independent judgments made in the Republican caucus, and they pulled it to a grinding halt. We will not be allowed to vote on that bipartisan agreement. We will not be allowed to vote on an agreement that brought the Republicans and the Democrats together in the Senate. We will not be able to vote on a bipartisan agreement that has the opportunity to bring Democrats and Republicans together in the House. That's because the Tea Party insists upon this radical agenda where they're going to throw millions of people off of unemployment insurance who've lost their job through no fault of their own, and that's how they'll pay for the middle class tax cut, by injuring middle class families who've been thrown into economic chaos because of the economic downturn caused by their friends on Wall Street and the scandals that they've perpetrated on the American people.

Let's bring people together. Let's pass the Senate bill, and let's get on with taking care of the problems of this Nation.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gen-

tleman from Pennsylvania (Mr. MEEHAN).

Mr. MEEHAN. I rise in support of this motion this morning, but for a very important reason. The politics here is thicker than Maine molasses, but if you take time and you go back and you talk to the real job creators in your district, you'll see the common-sense approach that's being detailed right here to look for a solution.

The House has already voted. We have supported the idea of passing the payroll tax. We've passed that bill. We supported the reimbursement for the doctors so we can continue to create certainty in the relationships between doctors and their patients. We've passed that bill. Now we've got to come back and work out the differences. But when the difference becomes a 2-month extension, it defies common sense.

I sat this morning and spoke with one of the individuals who is a tax accountant in my district. The quarterly tax return is the way so many small businesses do their work. The quarterly tax return, a 3-month situation. This bill would require us to go and just change these forms all over the country. Let me just close my comments with the words of the NFIB.

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

Mr. SCOTT of South Carolina. I yield the gentleman an additional 15 seconds.

Mr. MEEHAN. Employers who don't have correct withholding calculations will have to collect more from employees and amend their employment tax returns later next year, which may increase their chances for an audit.

This is the kind of insanity that we're looking at: small businesses being audited because Congress can't do their work.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 1 minute.

I would like to include in the RECORD the comments of Republican Senators begging the House to take their bill.

Sen. Scott Brown (R-MA): "The House Republicans' plan to scuttle the deal to help middle families is irresponsible and wrong. I appreciate their effort to extend these measures for a full year, but a two-month extension is a good deal when it means we avoid jeopardizing the livelihoods of millions of American families. The refusal to compromise now threatens to increase taxes on hard-working Americans and stop unemployment benefits for those out of work. During this time of divided government, both parties need to be reasonable and come to the negotiating table in good faith. We cannot allow rigid partisan ideology and unwillingness to compromise stand in the way of working together for the good of the American people."

Sen. Scott Brown, Press Release: "Sen. Brown Blasts House For Jeopardizing Tax Relief, Unemployment Benefits", Dec 19, 2011.

Sen. Olympia Snowe (R-Maine): "I spoke out against this unprecedented two-month policymaking experiment on Saturday. That said, there wasn't an indication that the House would be in disagreement with the Senate's action. Nonetheless, what is paramount at this point is that this tax benefit

for hardworking Americans not be allowed to lapse.”

Seung Min Kim and Jonathan Allen, “New GOP split over payroll bill”, Politico, 12/19/11.

Sen. Dean Heller (R-Nev.): “there is no reason to hold up the short-term extension while a more comprehensive deal is being worked out.”

Seung Min Kim and Jonathan Allen, “New GOP split over payroll bill”, Politico, 12/19/11.

Sen. Susan Collins (R-Maine): “at this point, we must act, as the Senate has done, to prevent a tax increase that will otherwise occur on Jan. 1.”

Seung Min Kim and Jonathan Allen, “New GOP split over payroll bill”, Politico, 12/19/11.

Sen. Dick Lugar (R-Ind.): “I’m hopeful there are a majority of Republicans and Democrats 4 today who will proceed, because it seems to me this is best for the country, as well as for all the individuals who are affected.”

Daniel Strauss, “GOP’s Lugar: House should pass tax bill for the good of the country”, The Hill, 12/19/11.

I want to put into the RECORD the key dates in the Boehner payroll tax cut debacle:

Last Wednesday, Speaker BOEHNER sat at a meeting in Senator MCCONNELL’s office with REID and MCCONNELL. Speaker BOEHNER said the two Senate leaders should negotiate a deal and that Senator MCCONNELL has his proxy.

Thursday, Speaker BOEHNER made public comments promising to live by whatever agreement the Senate reached. He said: “If the Senate acts, I’m committed to bringing the House back—we can do it within 24 hours—to deal with whatever the Senate does.”

On Friday, Speaker BOEHNER reacted to reports that we may have to settle on a 2-month extension by saying if the Senate passed that, he would take it, add the Keystone pipeline provision to it, and send it back to the Senate. So we added the pipeline into the deal in the Senate because that’s what Speaker BOEHNER said he needed to get the measure through the House.

Friday night after Senator MCCONNELL presents the payroll tax deal to his caucus, he’s captured in a video leaving the caucus high-fiving Senator BARRASSO. Later, Senator MCCONNELL tells reporters: “Obviously, I keep the Speaker informed as to what I’m doing.”

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

Ms. SLAUGHTER. I yield myself an additional 30 seconds.

Saturday, MCCONNELL calls the payroll tax cut compromise a bill designed to pass. MCCONNELL said: “I thank my friend, the majority leader, for the opportunity to work together with him on something that could actually pass the Senate and be signed by the President.”

Saturday, Speaker BOEHNER called the deal a “good deal” and a “victory,” and according to reports, urged his caucus to declare victory and pass it, on a conference call.

Saturday afternoon, Senator MCCONNELL gave his consent to allow the Senate to adjourn for the year.

On Sunday, once the Tea Party Republicans in the caucus rebelled, Speaker BOEHNER reversed course and is now disowning the deal he supported 24 hours earlier.

I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, in just over 2 weeks, Americans who are fortunate enough to have work will get their first paycheck of 2012, and the paycheck will be lower because there’s a tax increase. The question before the country today is: Should we stop that, yes or no?

In 11 or 12 days, a senior will go to see her doctor, and there’s a very high risk that the doctor will not see that Medicare patient because the doctor has seen a 27 percent cut in what the doctor has been paid.

□ 1000

The question before the country is: Should we stop that, yes or no? In just over 11 days, over 2 million Americans will see their unemployment benefits expire and they will have virtually no income to pay any of their bills. The answer is: Should we stop that, yes or no?

Now, the other body has taken up a bill that gives us the answer. The taxes would not go up on the middle class, the senior would be able to see their doctor, and the unemployment benefits would not expire. Eighty-nine Members of the Senate voted for this. The President of the United States said he’d sign this. Virtually every Member of the Democratic side of the House is prepared to vote for this. But this is not on the House floor today. Now it’s just fine for a Member to say, yes, I support this compromise or, no, I don’t support this compromise, but it is an abrogation of the basic duty of this House not to take a vote on it.

The choices ought to be, yes, we support the bill, or, no, we don’t support the bill. It shouldn’t be we don’t want to take a vote on the bill; we want to duck the question. We are compensated to cast votes and explain our votes to the American people. By refusing to let this bill come to the floor today, the majority is abrogating its responsibility to the country. We should oppose this rule.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 2 minutes to the gentlelady from North Carolina, Dr. FOXX.

Ms. FOXX. I thank my colleague from South Carolina for handling the rule and for yielding 2 minutes.

I want to say, first off, that we should all vote for this rule, and we should vote for the resolution that’s going to come up later.

I want to point out to my colleagues, again, that you are entitled to your opinion, but you’re not entitled to rewrite history. The House passed a bill last week, a bipartisan bill.

There’s been so much touting of the Senate bipartisan bill, but not one

mention by our colleagues on the other side of the aisle of the fact that we passed a bipartisan bill last week which did exactly what the President, Ms. PELOSI, and Mr. HOYER—all those in charge of the Democrat Party—said they wanted, a 1-year extension of the policy that was passed last year. It also stopped raises for Congress and Federal employees and cut spending.

What our colleagues on the other side of the aisle cannot do, and what the President seems incapable of doing, is cutting Federal spending, which is desperately what we need in this country.

And I want to point out to my colleague from New York who says that we’re doing nothing here today—we’re not doing anything I believe is her comment. I want to point out that the Constitution, in Article I, section 1, divides the Congress of the United States, and in section 2 it talks about the House of Representatives. Well, if the Founders thought that the House is irrelevant—and obviously my colleague thinks that the House is irrelevant—then maybe some people should go home. I don’t think the House is irrelevant.

Mr. REID has said the House of Representatives must pass their bill. Well, nobody made Mr. REID the king, and I don’t think that we have to do what Mr. REID says. He has a very high opinion of himself. I think we do what the Constitution tells us to do. When there’s a difference of opinion, then we go to conference. A “no” vote to our colleagues means they don’t want to follow regular order and want to continue the uncertainty.

What has the Senate done this year? The Senate has passed approximately 10 substantive bills. It’s my opinion that the Senate is out of touch. A 2-month bill is not appropriate. Instead of being in “Alice in Wonderland,” like my colleague said last night, we are in “1984.”

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the Senate or its Members.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado, a member of the Committee on Energy and Commerce, Ms. DEGETTE.

Ms. DEGETTE. Mr. Speaker, I’m mad, too. I’m mad at the Senate. I’m mad this is a short-term extension. I’m mad that this allows this pipeline that I object to be built, and I, too, am mad at the way it’s paid for.

But then, Mr. Speaker, I think about the six constituents that I met with a couple of weeks ago in Denver. All six of them are unemployed and have been for over 2 years. Every morning these six folks wake up with hope. They send out resumes. They make phone calls. They visit offices. They do everything they can think of to get a job. By the end of the day, they’re dispirited.

By the end of the week, on Sunday, now we want to remove all hope that

they will have to subsist in any way. This is going to happen in 12 days. There's almost 36,000 people like this in my district. There's 2.2 million of them around the country.

Or I think about the hundreds of thousands of families who do have jobs. Now, these folks, as of January 1, are all going to lose \$1,000 in their paychecks in 12 days. These people have planned their Christmas budgets around that money. Now, either they'll have to charge it on their credit cards, racking up more debt, or maybe they just won't buy those toys to put under the tree because of Congress. Merry Christmas.

Don't fool yourselves. I've been in Congress 15 years now. The Senate is not coming back. There won't be a conference committee. This motion effectively kills the bill. Let's stop arguing about process. Let's stop arguing about what we want to see. Let's stop demagoguing this issue. Let's start talking, for once, about the people that we represent and who will lose hope this holiday season because of us.

Let's defeat this motion. Let's adopt the bipartisan Senate bill. Let's come back in January and work together in a bipartisan and a bicameral way to actually fix this bill.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Georgia, my cousin, AUSTIN SCOTT.

Mr. AUSTIN SCOTT of Georgia. Good morning. I appreciate the opportunity to speak on this issue.

I, as most Americans, love this time of year. It's Christmastime where we celebrate the birth of Christ and spend time with our family and friends and at church. I sent a quick message to my wife last night, and I said: Honey, I may be here for a while.

And she said: We have 5 days until Christmas. Stay in the fight. Americans need you.

I know a lot of people on the other side of the aisle want to use that as an excuse to go home, but America needs us to be up here and work. A lot has been said today, but the fact is simple: The Senate put a bad amendment on a good bill, a bill that passed this House with almost as many Democrats voting for it as Republicans who voted against it, a bipartisan bill that does what the President asked us to do, which is to extend the payroll tax cut for 12 months. Twelve months is what the President asked for; 12 months is what we did.

Now, the Senate, in their haste to get out of town—the Senate, in their haste to get out of town—passed it for 60 days. I would respectfully submit that if they had done any consideration at all, they would have made it at least 90 days. I'm one of those who signed a quarterly wage and tax return like many of my freshman colleagues.

I, again, want to ask the President to stand with the Republican House. Let's pass this tax cut for a year and do what the Americans need us to do.

Ms. SLAUGHTER. Mr. Speaker, I yield a minute and a half to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. You know, I love Christmas, too, but when the gentleman on the other side of the aisle suggests that somehow they are going to stay around here after today, I don't believe that for 1 minute. I guarantee you that at the end of the day, the Republicans are going to go home. The difference is they're going to go home without passing the Senate bill that allows people to get their payroll tax cut, their unemployment insurance, and the seniors to go out and be able to access Medicare. If you really cared about these issues, then you would pass the Senate bill. You wouldn't put up a vote that rejects the Senate bill and doesn't allow us to consider it at all.

Don't kid anybody here. At the end of the day, the Republicans are going to go home, but the consequence for the American people is that the economy is in a very perilous situation right now. If you take this tax cut and you don't extend it, then it's very possible that people won't have money to spend, the economy won't grow, and this teetering economy could easily fall back into a recession again.

So I don't know what's going on here. All I can think of is that the Tea Party Republicans—the extremists on the Republican side—are wagging the Republican dog and saying to your leadership: We don't want to do this.

They don't want the payroll tax extension. They don't want the unemployment extension. I don't know why they don't care about the American people, but that's the bottom line here. You're going to go home at the end of the day, there isn't going to be any bill passed here, the deadline is going to be reached on January 1, people are going to be without their unemployment insurance, and they're going to have a tax increase. That's the consequence of this.

I've been hearing the Republicans for years saying they don't want a tax increase. Well, they don't care if the tax increase is on the middle class. If it's on the wealthy, oh, they don't want that, but it's okay to increase taxes on the middle class.

□ 1010

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from New York, Mr. TOM REED.

Mr. REED. I rise in support of this rule and the underlying legislation. Why? Because enough is enough. The arrogance of this place is outstanding. It's unbelievable. You have to look at what we're talking about from the eyes of our constituents and the people back home.

Two months of certainty for people when it comes to their payroll, to their paychecks? Two months for how our doctors are going to get paid for caring for our sick and our old? That's ridiculous.

I will tell my colleagues on the other side of the aisle, there's a new dawn that has emerged in this Chamber. We are no longer going to run from our responsibility to govern. We are going to do it in the open, we are going to do it honestly, and we're going to do it in a way that provides certainty to these problems, because God knows we can no longer afford Band-Aids. We need real solutions, long-term solutions.

I plead with my colleagues on the other side of the aisle to join us and reach a resolution to bring certainty for a longer period of time than 2 months.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield a minute and a half to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, we are here basically because the Joker has taken control of the Congress. Everyone knows that this is a procedural calamity that will not work. The House bill was dead on arrival in the other body because it raised the premiums of Medicare on seniors.

Let me tell you what we're doing today. The Washington Republicans are taking a high-risk gamble. This is gambling. This is throwing the dice. DEAN HELLER, a Senator, said, It is important that we extend the short term to get to the long term on payroll tax. RICHARD LUGAR said, We must do what is best for the American people.

My voice may be a little raspy, but I am watching the trees and the lights in people's homes. As we go through the house, you can see those lights brightly shining, and then you get closer to that tree, and you see them beginning to pop and burn as the Christmas tree burns. And then those who have lights in their homes, candles, you see them burning to the very end. It is extinguished.

They're putting the American people in darkness. That's what this joke is doing, not even allowing us to be able to have an up-or-down vote on the Senate bill that gives us 2 months to help out seniors, to have their doctors, and to be able to have the Medicare reimbursement for our doctors fixed.

I submit into the RECORD the Rules Committee agenda, which showed at 7:05 p.m. on Monday night that the House would vote on the Senate compromise to extend the payroll tax cut and unemployment insurance extension. At 9:15 p.m. the Tea Party Republicans said no—and the American people now have lost their holiday season. Millions will now suffer.

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

Ms. JACKSON LEE of Texas. This is a joke. Vote against this rule.

AGENDA—EMERGENCY MEETING, MONDAY,  
DECEMBER 19, 2011, 7:05 P.M.

A motion to concur with the Senate amendment to H.R. 3630 (Middle Class Tax Relief & Job Creation Act of 2011).

A motion to go to conference on H.R. 3630 (Middle Class Tax Relief & Job Creation Act of 2011).

H. Res. 501—Ways & Means Energy & Commerce House Administration Transportation & Infrastructure—Expressing the sense of the House of Representatives regarding any final measure to extend the payroll tax holiday, extend Federally funded unemployment insurance benefits, or prevent decreases in reimbursement for physicians who provide care to Medicare beneficiaries.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana, Mr. JEFF LANDRY.

Mr. LANDRY. Mr. Speaker, I rise to call out hypocrisy because it is amazing that the same level of uncertainty that my colleagues from across the aisle have injected into our economy today, which is failing our economy, they now want to inject that type of uncertainty into the American family's budget.

Two months? One of the pillars of the President's jobs bill was the extension of the payroll tax for 1 year, and Republicans agreed with him and sent over to the Senate a bill which extends that payroll tax holiday for 1 year, and yet, the Senate can only give us a sixth of that.

Where is the compromise? Where is the agreement? Where have the Senate majority leader and the President missed each other? The President wanted a 1-year extension, and that is what we stand for today, a 1-year extension of the payroll tax holiday to give certainty to American families at a time when they need it the most.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina, the assistant Democratic leader, Mr. CLYBURN.

Mr. CLYBURN. I thank the gentleman for yielding me the time.

Mr. Speaker, I rise today to thank the 89 Senators—50 Democrats and 39 Republicans—for their bipartisan agreement to extend the current payroll tax cut, unemployment insurance benefits, and Medicare doctors' payments for another 60 days while we continue to seek common ground for a full 12-month extension.

Let there be no mistake: The only way for the Members of this body to prevent a tax increase on 160 million working Americans is to pass the bipartisan agreement.

Let me be crystal clear: The only way to prevent cutting off unemployment insurance from 2.2 million Americans who are currently unemployed and looking for work is to pass the bipartisan agreement.

The only way to prevent cutting funds to pay doctors who care for Medicare patients is to pass the bipartisan agreement.

Now, a good thing happened last weekend. The Senate majority leader and the Senate minority leader demonstrated to the American people that Democrats and Republicans can work together. They hammered out a compromise on this important legislation.

Mr. Speaker, I'm sure that my colleagues on both sides of the aisle have

heard their constituents ask, as I've heard mine ask, time and time again: Why can't you guys work together to get things done for the American people? It's a good question. It's a fair question. The Senate has answered in the affirmative by passing this legislation, and it's my fervent hope that we will do so, also.

Mr. Speaker, I urge my colleagues to put partisanship aside and join our colleagues in the other body to do the right thing for the American people. Bring the bipartisan agreement to the floor, and let's have a vote.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 4 minutes to the gentleman from California, the great chairman of the Rules Committee, DAVID DREIER.

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

Mr. DREIER. Mr. Speaker, I thank my good friend from North Charleston for his superb management of this rule.

Mr. Speaker, we regularly point to the fact that uncertainty is the enemy of prosperity and economic growth, and we know that extending this package for a year will, in fact, be doing exactly what President Obama has said is necessary for us to do. He said it's inexcusable for us not to extend this for a year, and so we've got a great chance to do this.

The other issue that I think is important to note, Mr. Speaker, is that uncertainty is now posing a national security threat to the United States of America. I say that because last night Stephen Harper, the prime minister of Canada, had an interview on Canadian television in which he made it very clear that he had been told that there would be approval of the Keystone XL pipeline that would have allowed for the flow of Canadian energy to come into the United States, and obviously, uncertainty exists. And so he made it very clear. He said he is very serious about selling that energy, moving that energy to Asia, and we know that that means to China.

Now, I'm not an opponent of China's economic growth, but I do believe that the potential for us to work with our close ally to the north is a very, very important part of our economic growth. Job creation here would be enhanced by it, and we know it would help us have access to lower cost energy.

And so, Mr. Speaker, not only is uncertainty the enemy of economic growth and prosperity, but uncertainty is now jeopardizing our national security.

Now, Mr. Speaker, some have tried to make the claim that we're not going to have an up-or-down vote on the Senate measure. Let me explain to our colleagues what, in fact, is going to happen.

The distinguished chairman of the Committee on Ways and Means, Mr. CAMP, is going to move to disagree with the Senate amendments and re-

quest a conference. That's the motion that the chairman of the Ways and Means Committee will have. What that means, Mr. Speaker, is that any Member who believes that we should accept the Senate temporary 2-month extension, that proposal that the National Payroll Reporting Consortium has said is unworkable and that Bloomberg News has said is unworkable and other independent analyses have said is unworkable, if a Member supports that measure, they should vote "no" to the motion that will be offered by the gentleman from Michigan (Mr. CAMP) which says, I move to disagree to the Senate amendments and request a conference.

□ 1020

And so I think it's very clear: We have a responsibility, a responsibility to do the people's business.

It's true, our Senate colleagues have gone home. Our Senate colleagues have gone home, and they say they don't want to act. We need to request this conference so that the Speaker of the House can appoint conferees and work can begin immediately.

Why is it that one would believe that creating this uncertainty in a temporary 2-month extension will allow us to get the work done next year? It needs to be done now. We have a December 31 deadline. We're going to see a tax increase go into effect if we don't act because, while the Senate measure provides a \$166 tax benefit on the payroll issue, ours would provide \$1,000.

Mr. Speaker, we need to make sure that we get this work done as quickly as possible, and we are here prepared to do it.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New York, a member of the Committee on Energy and Commerce and my colleague from New York, Mr. ENGEL.

Mr. ENGEL. I thank the gentleman for yielding to me, and I rise in opposition to this rule.

I have a challenge to my Republican colleagues who claim to want to extend the payroll tax for a year. Give us a clean vote on extending the payroll tax for a year. Give it to us today, and we will pass it.

You talk about the bill that was passed in the House. That bill had poison pills in it. It mixed apples with oranges. It had a vote on the Keystone pipeline. It was designed to kill it.

If you're serious and you really want a middle class tax extension, payroll tax cut, give us a clean vote. That's all we're asking for.

The truth is that my friends on the other side of the aisle are interested in tax cuts for millionaires and billionaires, but they're not interested in tax cuts for the middle class, as the Democrats are.

So give us a clean bill, and then we'll call the Senate back to pass it. What the Senate has done is given us a 2-month breather. Let's take their 2-



month breather and then pass a clean—a clean—doc fix, a clean extension of unemployment benefits, a clean payroll tax cut, not with any poison pills or extraneous materials destined to kill it.

Give us a clean bill, and we'll pass it. I challenge my Republican colleagues who control this House.

Mr. SCOTT of South Carolina. Mr. Speaker, I am prepared to close, so I will reserve the balance of my time.

Ms. SLAUGHTER. If my colleague is prepared to close, I have one more speaker.

I would like to yield 1 minute to the gentlewoman from California, our Democrat leader, Ms. PELOSI.

Ms. PELOSI. I thank the gentlelady for yielding. I thank her for her leadership and fighting the good fight at the Rules Committee. I commend her for her patience and also for her great knowledge that she brings to this debate.

But this is a pretty simple matter. The fact is what we're debating here today is of the utmost importance to the American people, to America's working families, and they know it. So much of what we debate on the floor may appear irrelevant to meeting their needs. This has a direct connection.

The debate that we have around our table of discussion here relates directly to discussions that are happening at kitchen tables across the country, as people prepare for the holidays, to see if they're going to be able to have a holiday and if they're going to be able to pay the bills come January.

Last night, the leadership of the Republican Party announced that the procedure today would be that we would be able to vote up or down on the Senate bill. In a matter of minutes, by the time it went to the Rules Committee, they changed that and said we wouldn't have a chance to vote up or down on the Senate bill.

This isn't, though, about process. It's about why is this happening, and why can't we get the job done for the American people.

What is at stake is the following: Given the chance to have an up-or-down vote on the Senate bill will probably attract some Republican support. When passed, it could go directly to the President, be signed into law today, removing all doubt in the minds of the American people as to whether the following will occur:

They will get up to a \$1,500 tax cut, middle income families; 160 million American workers will get the tax cut. It will mean 48 million seniors will have access to their doctors under Medicare. It will mean up to 2 million people will be receiving unemployment insurance in the next 2 months. For some of those people, losing that unemployment insurance cuts off any means of support for them.

Is that what we are here to do?

I thought we were here to do what the American people want us to do. What they have said they want us to do

is to work together to get the job done. Why can't we work together, A.

B, they want jobs, and they want this tax cut. Democrats, Independents, Republicans want this tax cut. In fact, Republicans, at 50-something to 30-something support the payroll tax cut. That is Republicans across the country. Republicans in the Senate voted for this tax cut, 39 of them did. Ninety percent of the Senate, in a bipartisan way, voted for this tax cut. It is just the extreme Tea Party element of the Republicans in the House of Representatives who are standing in the way of a tax cut for 160 million Americans, unemployment benefits for millions of Americans, and Medicare opportunity for 48 million seniors.

Republicans say this is too short. It reminds me of a Yogi Berra story. He said: I don't like the food at that restaurant. Besides, the servings are too small.

Well, that's just what they're saying here. They've never wanted a tax cut, and now they're saying the tax cut for middle income people is too small. So what is it?

The record shows that, in the beginning of the summer, Speaker BOEHNER said that the tax cut, even the 1-year tax cut, was a short-term gimmick and he opposed it. It wasn't until President Obama went across the country with the American Jobs Act to persuade the American people to support the job creation that he was advocating, one part of that was a payroll tax cut. The American people overwhelmingly support that. They want us to get that job done.

So the only reason the Republicans are using the subterfuge, these excuses, is because they never wanted the tax cut to begin with. Our distinguished Mr. HOYER said it very well. The bill they put forth is designed to fail, designed to fail because they didn't want it to begin with.

But this is deadly serious to the American people. The Senate Republicans opposed bringing up the House bill, the Republican House bill, in the Senate because they knew it would fail. The Republicans in the House—let's repeat that. The Republicans in the Senate refused to allow a vote on the House Republican bill because they knew it would fail. The Republicans in the House refused to bring up the Senate bill here because they are afraid it will pass, and it will pass and give the tax cut, take us down a path where we can go forward to make plans for how we extend it for one solid year.

But how do you explain this to the American people? Ninety percent of the Senate has voted in a bipartisan way—that's what the American people want us to do, to work together—for a tax cut that the American people want in overwhelming numbers and that we have the opportunity to do right here and now today.

President Thomas Jefferson said very wisely that every difference of opinion is not a difference of principle. And so

let's see what this is today. Is this a difference of opinion of the path we can go down to have tax relief for the American people which, economists say, this tax cut will create jobs? If we don't pass it, as many as 600,000 jobs can be affected, either lost or not continued or not added, 600,000 jobs because of the demand injected into the economy by putting money into the pockets of the American people, by providing unemployment benefits, which are spent immediately and inject demand into the economy, therefore creating jobs.

□ 1030

This is dangerous business not only for how it impacts individual families and their survival. It's about the success of our economy, and not passing this bill today can hurt our economic recovery.

So let's really be clear. Republicans said we were going to have a vote on the Senate bill. They were afraid it would win; they pulled that. So now we have to be engaged in these process maneuvers. That's only an excuse. It's not a reason to reject the tax cut. It's an excuse because they never wanted the tax cut from the beginning.

So let's understand what we're here about.

Getting back to President Jefferson, every difference of opinion is not a difference of principle. But maybe here it is. Maybe the principle at stake here is the anti-government, ideological warfare that the Tea Party Republicans in the extreme have taken us to. They, alone, are standing in the way of a tax cut for the middle class. Republicans across the country support it, Republicans in the Senate support it, some Republicans in the House support it. That's why we're not getting a chance to vote on it.

So let's understand that this is a pattern of House Republicans isolating themselves from the mainstream of even their own party across the country and their colleagues in the Senate who may or may not like this bill. It isn't the bill most of us would write, but that's what a compromise is. So it's not as if this is a mad, wild embrace of this. It's facing the reality of a two-party system of needing 60 votes in the Senate and the Republican majority in the House.

I thought the Speaker said that this was a victory after it passed in the Senate. He was the one who instructed HARRY REID—insisted that Senator REID have a discussion with MITCH MCCONNELL. Was that just a farce, too?

Is this all just a delaying, stalling tactic that says we were never going to do it before? Remember Yogi Berra: I don't like the food at that restaurant, and the servings are too small. They don't like the tax cut, and now they're claiming that it is too small. Yet when it was a 1-year tax cut, it was called a gimmick by the Speaker of the House.

So I urge my colleagues to certainly vote "no" on the rule. The Speaker is

proud of saying, The House will work its will. Well, it won't if we don't have the opportunity under the rules of the House that are put on this floor in opposition to the wishes of the American people to take a simple vote on a bill that comes in with the strength of a 90 percent bipartisan vote in the Senate of the United States.

So it's clear: they never wanted a tax cut. Anything they put forth is designed to fail because that is what they want to do.

I tell my caucus—and they may be tired of hearing it from me—that it is like a gentleman who is wooing his potential fiancée and keeps asking her to marry him. And she says, Of course I'll marry you. I can only do it on February 30. Well, that day is never coming. Nor is the day coming when the Republicans will wholeheartedly support a tax cut for the middle class. Their focus has been on tax cuts for the wealthiest people in our country, and those wealthy people want a tax cut for the middle class.

Let's see what the American people want.

Let's vote "no" on this rule so that we have an opportunity to vote "yes" on the Senate bill that can be sent to the President this very day so that we can truly wish people a happy holiday season.

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

I want to reiterate the way I started today that what we're doing here today is killing the tax cut by not voting anything here except that we do not concur with the Senate and that we will hope some conference will come from someplace. That means there will be no tax cut; that means there will be no extension of unemployment benefits.

Now, last night at 7 o'clock when the Rules Committee was supposed to meet, the agenda called for a vote to concur in the Senate bill. But after the stormy 2-hour Tea Party conference, they reversed their course. And now we have a process where no tax cut can pass today, no matter who wins what vote.

If every Member of the House supported the bipartisan proposal, it still does not go to the President, and it does not become law. We have one chance, Mr. Speaker, of being able to vote on the Senate bill and one chance of winning that, and that will be on the previous question.

If we are able to defeat the previous question, we can have what I will construe as an up-or-down vote on the Senate bill. I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question, but we want an up-or-down vote on the previous question.

Let me repeat that because it's terribly important. I urge all of my colleagues in the House on both sides of the aisle, if you wish an up-or-down

vote on what the Senate has done so that we can actually get some legislation done here and get it sent to and signed by the President of the United States, you must vote "no" on the previous question so that we will have that opportunity, which we have absolutely been denied.

Let me repeat, again, what we're doing here is absolutely nothing. It's simply a stalling tactic, I believe, to kill the tax cut and to kill the unemployment benefits.

I urge my colleagues to vote "no" to defeat the previous question so we can do the compromise today. I urge a "no" vote also on the rule, and I yield back the balance of my time.

Mr. SCOTT of South Carolina. Mr. Speaker, there is no doubt the American people are afraid. They're afraid of the party on the left. They're afraid because the party on the left raided \$500 billion out of Medicare to pay for a national health care Ponzi scheme. They're afraid because that same party who talks about tax cuts for the middle class raised taxes by a half a trillion dollars on the middle class.

After being held hostage, the middle class now hears from the party on the left, Trust me with a 60-day extension. No planning time, no time to figure it out. Trust me after I raised taxes on you in the last 12 months by more than a half a trillion dollars.

Mr. Speaker, regular order suggests for the last 200 years that when the House and the Senate don't agree, they go to conference so that the folks on the left and those fighting for freedom on the right have an opportunity to come together in a conference. So to Mr. WAXMAN and Mr. LEVIN and others on the left who want a seat at the table, conference is the way you get a seat at the table. What we're asking for is common sense, something America has not seen from Congress in the last several years.

Mr. Speaker, I ask my colleagues to vote "yes" on the rule and "yes" on the underlying bill.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 502 OFFERED BY MS. SLAUGHTER OF NEW YORK

Strike all after the resolved clause and insert in lieu thereof the following:

That upon adoption of this resolution it shall be in order, without intervention of any point of order or question of consideration, to take from the Speaker's table the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, with the Senate amendments thereto, and to consider in the House a single motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendments. The Senate amendments shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion or demand for division of the question.

(The information contained herein was provided by the Republican Minority on mul-

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. SCOTT of South Carolina. 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 ayes appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 233, nays 187, answered “present” 1, not voting 12, as follows:

[Roll No. 944]

YEAS—233

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

Sullivan	Walberg	Wolf
Terry	Walden	Womack
Thompson (PA)	Walsh (IL)	Woodall
Thornberry	Webster	Yoder
Tiberi	West	Young (AK)
Tipton	Westmoreland	Young (FL)
Turner (NY)	Whitfield	Young (IN)
Turner (OH)	Wilson (SC)	
Upton	Wittman	

NAYS—187

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

ANSWERED “PRESENT”—1

Johnson (IL)

NOT VOTING—12

Bachmann	Filner	Paul
Buchanan	Giffords	Platts
Coble	Johnson, E. B.	Schrader
Diaz-Balart	Oliver	Woolsey

□ 1103

Messrs. LUJÁN and GARAMENDI changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 944, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “nay.”

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 231, nays 187, answered “present” 1, not voting 14, as follows:

[Roll No. 945]

YEAS—231

Adams	Gosar	Olson
Aderholt	Gowdy	Palazzo
Akin	Granger	Paulsen
Alexander	Graves (GA)	Pearce
Amash	Graves (MO)	Pence
Amodei	Griffin (AR)	Petri
Austria	Griffith (VA)	Pitts
Bachus	Grimm	Poe (TX)
Barletta	Guinta	Pompeo
Bartlett	Guthrie	Posey
Barton (TX)	Hall	Price (GA)
Bass (NH)	Harper	Quayle
Benishkek	Harris	Reed
Berg	Hartzler	Rehberg
Biggert	Hastings (WA)	Reichert
Bilbray	Hayworth	Renacci
Bilirakis	Heck	Ribble
Bishop (UT)	Hensarling	Rigell
Black	Herger	Rivera
Blackburn	Herrera Beutler	Roby
Bonner	Bonner	Huelskamp
Bono Mack	Bono Mack	Huizenga (MI)
Boustany	Boustany	Hultgren
Brady (TX)	Brady (TX)	Hunter
Brooks	Brooks	Hurt
Broun (GA)	Broun (GA)	Issa
Bucshon	Bucshon	Jenkins
Buerkle	Buerkle	Johnson (OH)
Burgess	Burgess	Johnson, Sam
Burton (IN)	Burton (IN)	Jordan
Calvert	Calvert	Kelly
Camp	Camp	King (IA)
Campbell	Campbell	King (NY)
Canseco	Canseco	Kingston
Cantor	Cantor	Kinzingler (IL)
Capito	Capito	Kline
Carter	Carter	Labrador
Cassidy	Cassidy	Lamborn
Chabot	Chabot	Lance
Chaffetz	Chaffetz	Landry
Coffman (CO)	Coffman (CO)	Lankford
Cole	Cole	Latham
Conaway	Conaway	LaTourette
Cravaack	Cravaack	Latta
Crawford	Crawford	Lewis (CA)
Crenshaw	Crenshaw	LoBiondo
Culberson	Culberson	Long
Davis (KY)	Davis (KY)	Lucas
Denham	Denham	Luetkemeyer
Dent	Dent	Lummis
DesJarlais	DesJarlais	Lungren, Daniel
Dold	Dold	E.
Dreier	Dreier	Mack
Duffy	Duffy	Manzullo
Duncan (SC)	Duncan (SC)	Marchant
Duncan (TN)	Duncan (TN)	Marino
Ellmers	Ellmers	McCarthy (CA)
Emerson	Emerson	McCaul
Farenthold	Farenthold	McClintock
Fincher	Fincher	McCotter
Fitzpatrick	Fitzpatrick	McHenry
Flake	Flake	McKeon
Fleischmann	Fleischmann	McKinley
Fleming	Fleming	McMorris
Flores	Flores	Rodgers
Forbes	Forbes	Meehan
Fortenberry	Fortenberry	Mica
Fox	Fox	Miller (FL)
Franks (AZ)	Franks (AZ)	Miller (MI)
Frelinghuysen	Frelinghuysen	Miller, Gary
		Mulvaney
		Murphy (PA)
		Myrick
		Neugebauer
		Noem
		Nugent
		Nunes
		Nunnelee

NAYS—187

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

ANSWERED "PRESENT"—1

Johnson (IL)

NOT VOTING—14

Bachmann	Giffords	Paul
Buchanan	Gingrey (GA)	Platts
Coble	Hanna	Schrader
Diaz-Balart	Johnson, E. B.	Woolsey
Filner	Olver	

□ 1110

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GINGREY of Georgia. Mr. Speaker, on rollcall No. 945 on adoption of H. Res. 502, I am not recorded because I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 945, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

MOTION TO GO TO CONFERENCE ON H.R. 3630, MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

Mr. CAMP. Mr. Speaker, pursuant to House Resolution 502, I call up the bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes, with Senate amendments thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendments.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) *SHORT TITLE.*—This Act may be cited as the "Temporary Payroll Tax Cut Continuation Act of 2011".

(b) *TABLE OF CONTENTS.*—The table of contents of this Act is as follows:

Sec. 1. *Short title; table of contents.*

**TITLE I—TEMPORARY PAYROLL TAX RELIEF**

Sec. 101. *Extension of payroll tax holiday.*

**TITLE II—TEMPORARY EXTENSION OF UNEMPLOYMENT COMPENSATION PROVISIONS**

Sec. 201. *Temporary extension of unemployment compensation provisions.*

Sec. 202. *Extended unemployment benefits under the Railroad Unemployment Insurance Act.*

**TITLE III—TEMPORARY EXTENSION OF HEALTH PROVISIONS**

Sec. 301. *Medicare physician payment update.*

Sec. 302. *2-month extension of MMA section 508 reclassifications.*

Sec. 303. *Extension of Medicare work geographic adjustment floor.*

Sec. 304. *Extension of exceptions process for Medicare therapy caps.*

Sec. 305. *Extension of payment for technical component of certain physician pathology services.*

Sec. 306. *Extension of ambulance add-ons.*

Sec. 307. *Extension of physician fee schedule mental health add-on payment.*

Sec. 308. *Extension of outpatient hold harmless provision.*

Sec. 309. *Extending minimum payment for bone mass measurement.*

Sec. 310. *Extension of the qualifying individual (QI) program.*

Sec. 311. *Extension of Transitional Medical Assistance (TMA).*

Sec. 312. *Extension of the temporary assistance for needy families program.*

**TITLE IV—MORTGAGE FEES AND PREMIUMS**

Sec. 401. *Guarantee Fees.*

Sec. 402. *FHA guarantee fees.*

**TITLE V—OTHER PROVISIONS**

**Subtitle A—Keystone XL Pipeline**

Sec. 501. *Permit for Keystone XL pipeline.*

**Subtitle B—Budgetary Provisions**

Sec. 511. *Senate point of order against an emergency designation.*

Sec. 512. *PAYGO scorecard estimates.*

**TITLE I—TEMPORARY PAYROLL TAX RELIEF**

**SEC. 101. EXTENSION OF PAYROLL TAX HOLIDAY.**

(a) *IN GENERAL.*—Subsection (c) of section 601 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (26 U.S.C. 1401 note) is amended to read as follows:

“(c) *PAYROLL TAX HOLIDAY PERIOD.*—The term ‘payroll tax holiday period’ means—

“(1) in the case of the tax described in subsection (a)(1), calendar years 2011 and 2012, and

“(2) in the case of the taxes described in subsection (a)(2), the period beginning January 1, 2011, and ending February 29, 2012.”.

(b) *SPECIAL RULES FOR 2012.*—Section 601 of such Act (26 U.S.C. 1401 note) is amended by adding at the end the following new subsection:

“(f) *SPECIAL RULES FOR 2012.*—

“(1) *LIMITATION ON WAGES AND SELF-EMPLOYMENT INCOME.*—In the case of—

“(A) any taxable year beginning in 2012, subsection (a)(1) shall only apply with respect to so much of the taxpayer’s self-employment income (as defined in section 1402(b) of the Internal Revenue Code of 1986) as does not exceed the excess (if any) of—

“(i) \$18,350, over

“(ii) the amount of wages and compensation taken into account under subparagraph (B), and

“(B) any remuneration received during the portion of the payroll tax holiday period occurring during 2012, subsection (a)(2) shall only apply to so much of the sum of the taxpayer’s wages (as defined in section 3121(a) of such Code) and compensation (as defined section 3231(e) of such Code) as does not exceed \$18,350.

“(2) *COORDINATION WITH DEDUCTION FOR EMPLOYMENT TAXES.*—In the case of a taxable year beginning in 2012, subparagraph (A) of subsection (b)(2) shall be applied as if it read as follows:

“(A) the sum of—

“(i) 59.6 percent of the portion of such taxes attributable to the tax imposed by section 1401(a) of such Code (determined after the application of this section) on so much of self-employment income (as defined in section 1402(b) of such Code) as does not exceed the amount of self-employment income described in paragraph (1)(A), plus

“(ii) one-half of the portion of such taxes attributable to the tax imposed by section 1401(a) of such Code (determined without regard to this section) on self-employment income (as so defined) in excess of such amount, plus.”.

(c) *TECHNICAL AMENDMENTS.*—Paragraph (2) of section 601(b) of such Act (26 U.S.C. 1401 note) is amended—

(1) by inserting “of such Code” after “164(f)”,

(2) by inserting “of such Code” after “1401(a)” in subparagraph (A), and

(3) by inserting “of such Code” after “1401(b)” in subparagraph (B).

(d) *EFFECTIVE DATES.*—

(1) *IN GENERAL.*—Except as provided in paragraph (2), the amendments made by this section shall apply to remuneration received, and taxable years beginning, after December 31, 2011.

(2) *TECHNICAL AMENDMENTS.*—The amendments made by subsection (c) shall take effect as if included in the enactment of section 601 of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010.

**TITLE II—TEMPORARY EXTENSION OF UNEMPLOYMENT COMPENSATION PROVISIONS**

**SEC. 201. TEMPORARY EXTENSION OF UNEMPLOYMENT COMPENSATION PROVISIONS.**

(a) *IN GENERAL.*—(1) Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(A) by striking “January 3, 2012” each place it appears and inserting “March 6, 2012”;

(B) in the heading for subsection (b)(2), by striking “JANUARY 3, 2012” and inserting “MARCH 6, 2012”; and

(C) in subsection (b)(3), by striking “June 9, 2012” and inserting “August 15, 2012”.

(2) Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111–5 (26 U.S.C. 3304 note; 123 Stat. 444), is amended—

(A) by striking “January 4, 2012” each place it appears and inserting “March 7, 2012”; and

(B) in subsection (c), by striking “June 11, 2012” and inserting “August 15, 2012”.