

Department of Forestry and the State of Florida to, in fact, better manage their forest systems.

As the vice chair of the Congressional Sportsmen's Caucus, I do know how vital Federal and State land management is in the protection of wildlife and resource conservation. So H.R. 3954 is a significant step toward better forest management, and I do urge my colleagues to vote in support of this bill.

Mr. LUCAS. Madam Speaker, I have no additional speakers, and I yield back the balance of my time.

Mr. BACA. Madam Speaker, I want to thank the ranking member, minority ranking member, Mr. LUCAS, for his bipartisan support. I also want to thank Chairman Collins, along with Congressmen CRENSHAW and MILLER, on this bipartisan legislation that's important to a lot of us as we look at moving forward.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BACA) that the House suspend the rules and pass the bill, H.R. 3954, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

CONTINUING EXTENSION ACT OF 2010

Mr. McDERMOTT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4851

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Continuing Extension Act of 2010".

SEC. 2. EXTENSION OF UNEMPLOYMENT INSURANCE 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 "April 5, 2010" each place it appears and inserting "May 5, 2010";

(B) in the heading for subsection (b)(2), by striking "APRIL 5, 2010" and inserting "MAY 5, 2010"; and

(C) in subsection (b)(3), by striking "September 4, 2010" and inserting "October 2, 2010".

(2) Section 2002(e) 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. 438), is amended—

(A) in paragraph (1)(B), by striking "April 5, 2010" and inserting "May 5, 2010";

(B) in the heading for paragraph (2), by striking "APRIL 5, 2010" and inserting "MAY 5, 2010"; and

(C) in paragraph (3), by striking "October 5, 2010" and inserting "November 5, 2010".

(3) 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 "April 5, 2010" each place it appears and inserting "May 5, 2010"; and

(B) in subsection (c), by striking "September 4, 2010" and inserting "October 2, 2010".

(4) Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking "September 4, 2010" and inserting "October 2, 2010".

(b) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (C), by striking "and" at the end;

(2) by inserting after subparagraph (D) the following new subparagraph:

"(E) the amendments made by section 2(a)(1) of the Continuing Extension Act of 2010; and"

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendments made by section 2 of the Temporary Extension Act of 2010 (Public Law 111-144).

SEC. 3. EXTENSION AND IMPROVEMENT OF PREMIUM ASSISTANCE FOR COBRA BENEFITS.

Subsection (a)(3)(A) of section 3001 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), as amended by section 3(a) of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking "March 31, 2010" and inserting "April 30, 2010".

SEC. 4. INCREASE IN THE MEDICARE PHYSICIAN PAYMENT UPDATE.

Paragraph (10) of section 1848(d) of the Social Security Act, as added by section 1011(a) of the Department of Defense Appropriations Act, 2010 (Public Law 111-118) and as amended by section 5 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended—

(1) in subparagraph (A), by striking "March 31, 2010" and inserting "April 30, 2010"; and

(2) in subparagraph (B), by striking "April 1, 2010" and inserting "May 1, 2010".

SEC. 5. EXTENSION OF MEDICARE THERAPY CAPS EXCEPTIONS PROCESS.

Section 1833(g)(5) of the Social Security Act (42 U.S.C. 1395l(g)(5)), as amended by section 6 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking "March 31, 2009" and inserting "April 30, 2010".

SEC. 6. EHR CLARIFICATION.

(a) QUALIFICATION FOR CLINIC-BASED PHYSICIANS.—

(1) MEDICARE.—Section 1848(o)(1)(C)(ii) of the Social Security Act (42 U.S.C. 1395w-4(o)(1)(C)(ii)) is amended by striking "setting (whether inpatient or outpatient)" and inserting "inpatient or emergency room setting".

(2) MEDICAID.—Section 1903(t)(3)(D) of the Social Security Act (42 U.S.C. 1396b(t)(3)(D)) is amended by striking "setting (whether inpatient or outpatient)" and inserting "inpatient or emergency room setting".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective as if included in the enactment of the HITECH Act (included in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5)).

(c) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of

Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

SEC. 7. EXTENSION OF USE OF 2009 POVERTY GUIDELINES.

Section 1012 of the Department of Defense Appropriations Act, 2010 (Public Law 111-118), as amended by section 7 of the Temporary Extension Act of 2010 (Public Law 111-144), is amended by striking "March 31, 2010" and inserting "April 30, 2010".

SEC. 8. EXTENSION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) EXTENSION.—Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111-68), as amended by section 8 of Public Law 111-144, is amended by striking "by substituting" and all that follows through the period at the end and inserting "by substituting April 30, 2010, for the date specified in each such section."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be considered to have taken effect on February 28, 2010.

SEC. 9. SATELLITE TELEVISION EXTENSION.

(a) AMENDMENTS TO SECTION 119 OF TITLE 17, UNITED STATES CODE.—

(1) IN GENERAL.—Section 119 of title 17, United States Code, is amended—

(A) in subsection (c)(1)(E), by striking "March 28, 2010" and inserting "April 30, 2010"; and

(B) in subsection (e), by striking "March 28, 2010" and inserting "April 30, 2010".

(2) TERMINATION OF LICENSE.—Section 1003(a)(2)(A) of Public Law 111-118 is amended by striking "March 28, 2010", and inserting "April 30, 2010".

(b) AMENDMENTS TO COMMUNICATIONS ACT OF 1934.—Section 325(b) of the Communications Act of 1934 (47 U.S.C. 325(b)) is amended—

(1) in paragraph (2)(C), by striking "March 28, 2010" and inserting "April 30, 2010"; and

(2) in paragraph (3)(C), by striking "March 29, 2010" each place it appears in clauses (ii) and (iii) and inserting "May 1, 2010".

SEC. 10. COMPENSATION AND RATIFICATION OF AUTHORITY RELATED TO LAPSE IN HIGHWAY PROGRAMS.

(a) COMPENSATION FOR FEDERAL EMPLOYEES.—Any Federal employees furloughed as a result of the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, shall be compensated for the period of that lapse at their standard rates of compensation, as determined under policies established by the Secretary of Transportation.

(b) RATIFICATION OF ESSENTIAL ACTIONS.—All actions taken by Federal employees, contractors, and grantees for the purposes of maintaining the essential level of Government operations, services, and activities to protect life and property and to bring about orderly termination of Government functions during the lapse in expenditure authority from the Highway Trust Fund after 11:59 p.m. on February 28, 2010, through March 2, 2010, are hereby ratified and approved if otherwise in accord with the provisions of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68).

(c) FUNDING.—Funds used by the Secretary to compensate employees described in subsection (a) shall be derived from funds previously authorized out of the Highway Trust Fund and made available or limited to the Department of Transportation by the Consolidated Appropriations Act, 2010 (Public Law 111-117) and shall be subject to the obligation limitations established in such Act.

(d) EXPENDITURES FROM HIGHWAY TRUST FUND.—To permit expenditures from the Highway Trust Fund to effectuate the purposes of this section, this section shall be

deemed to be a section of the Continuing Appropriations Resolution, 2010 (division B of Public Law 111-68), as in effect on the date of the enactment of the last amendment to such Resolution.

SEC. 11. DETERMINATION OF BUDGETARY EFFECTS.

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

(b) **EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.**—This Act, with the exception of section 4, is designated as an emergency for purposes of pay-as-you-go principles. In the Senate, this Act is designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(c) **EMERGENCY DESIGNATION FOR STATUTORY PAYGO.**—This Act, with the exception of section 4, is designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111-139; 2 U.S.C. 933(g)).

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. **McDERMOTT**) and the gentleman from Kentucky (Mr. **DAVIS**) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. **McDERMOTT**. Madam Speaker, I ask unanimous consent that 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 Washington?

There was no objection.

Mr. **McDERMOTT**. Madam Speaker, I ask unanimous consent that Mrs. **CAPPS** be allowed to control 10 minutes of the time allocated to me and be allowed to yield time.

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

There was no objection.

Mr. **McDERMOTT**. Madam Speaker, I yield myself as much time as I may consume.

This bill, Madam Speaker, provides another short-term extension for a number of programs that are expiring at the end of the month. If we fail to act on this bill, Americans around the country will begin running out of unemployment benefits by the beginning of the next month. We've been here before. By the end of April, over 1 million Americans will exhaust their unemployment benefits.

This bill would merely continue the existing Federal unemployment programs for 1 month, as Congress works toward a longer extension. It does not increase the number of weeks of benefits provided by these programs.

Now, I know many of my colleagues are as frustrated as I am that we have to keep extending these programs

every month, as opposed to continuing them to the end of the year.

Jobless Americans shouldn't have to wait until the last minute to know whether their economic lifeline will continue. We need a long-term extension of these programs, a goal I very much hope we will achieve before the end of the next month.

In the meantime, I'm urging my colleagues to join me in supporting this critical stopgap legislation to extend unemployment benefits, as well as other critical assistance, including help for paying for continuing health coverage under **COBRA**.

Before I close, let me say that I hope we don't see a repeat performance from last month when a single Republican Senator blocked these vital benefits for so many Americans. He complained about the cost of these benefits for unemployed workers. Where were those concerns when we embarked on two wars without paying for one cent of them?

Where were the cries of outrage about the budget deficit when two tax cuts for our wealthiest citizens were enacted with no offsets whatsoever?

Where were my colleagues on the other side of the aisle when President Bush turned the biggest budget surplus in our Nation's history into the biggest deficit in our history and brought on the unemployment which is now facing us?

When Republicans complain about the deficit, it's like an arsonist complaining about a fire. He lit the match, but takes no responsibility for the resulting blaze.

The truth is, there is no better use of Federal resources than helping Americans who are struggling to find work. Workers today are facing a situation where there are six people looking for every available job in this country. It is a bad situation. So I hope my friends on the other side of the aisle will join me in supporting this bill.

I reserve the balance of my time.

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Mr. **DAVIS** of Kentucky. Madam Speaker, before I begin my remarks, I would like to thank the gentleman from Washington for his magnanimous comments and the bipartisan spirit of this bill as we come to the floor right now. At least it is not as much animus as we find in the United States Senate.

I rise today in support of this legislation to extend important benefits that help long-term unemployed workers, including unemployment insurance and health coverage assistance through **COBRA**. In addition, H.R. 4851 postpones the drastic cuts to Medicare physician payment rates, a critical factor for our health care providers, as well as a number of other important provisions that expire at the end of the month or sooner.

While I support this assistance, the American people should be under no illusion that this will create jobs. It does no such thing. In spite of claims last

year that the Democrats' stimulus package would keep unemployment from rising above 8 percent, it has risen from 5.5 to 9.7 percent nationwide and 10.7 percent in Kentucky. Just yesterday, senior administration officials testified they don't expect to see much improvement in the job market this year. We have already spent almost \$100 billion on unemployment benefits, with another \$50 billion in the pipeline through 2010.

I am disappointed that the majority has again chosen to subvert their so-called **PAYGO** rules by not paying for this short-term extension. Again, 83 percent of the Federal budget is exempt from the **PAYGO** legislation that was supposed to pay-as-you-go. While the bill before us today is necessary, it is not a long-term solution. It is inefficient, and it buys us time to actually fix the root causes.

Instead of creating 3.7 million jobs as promised, the Democrats' stimulus bill was followed by more than 3 million additional job losses. A record 16 million are now unemployed. A significant number are underemployed. And all Americans are asking one simple question that I hear all the time at home, and all of my colleagues do, Where are the jobs? Record numbers are collecting unemployment benefits instead of paychecks.

The need to pass this bill today reflects the failure of the Democrats' stimulus bill and subsequent efforts to create the jobs they promised. For this failure we will spend another \$6 billion next month on Federal unemployment benefits, borrowing that money from our children and our grandchildren. Millions will soon exhaust these benefits and wonder what comes next.

What Americans want are jobs, not handouts. To really help unemployed workers, we need to craft policies that will actually create jobs so unemployed workers can get back to work, so capital will be invested, so companies will invest in machines and development and growth, so the market will come back and they will hire people who will in fact become taxpayers to contribute to the economy and to meet their own needs.

Doing so requires ending the massive tax, spend, and borrow plans of the Democrat Congress and administration. These policies have created severe uncertainty among American workers and businesses that leads to economic stagnation and discourages hiring.

If you want to look at the full fruit of such policies, all we need to do is look at Eastern Europe in the 1960s, the 1970s, and the 1980s that led to the collapse of the Soviet empire. We could eliminate all of the uncertainty that we have today economically and get the private sector American job creation engine humming again by immediately providing real tax relief to businesses and families across the Nation. In addition, we should scrap plans for a government takeover of health care and focus on reform that actually

reduces cost; reengineer the government system that wastes almost \$200 billion a year on overhead that never sees the way to senior citizen health benefits; and do the private market reforms and bring about meaningful medical liability reform that will end defensive medicine costs that cost almost one-third of all medical costs.

We should rescind unspent funds from the failed stimulus bill and the Troubled Asset Relief Program, the so-called TARP bill, and apply all of these funds to one thing, which is reducing our deficit, which I believe the gentleman from Kentucky, the United States Senator, tried to do 2 weeks ago and was disparaged by people in the Democratic Party in the House and the Senate and in the administration for simply saying let's pay for something with money that we already have available.

Businesses can't thrive in an economy falsely buoyed by temporary stimulus funds and taxpayer-funded bailouts. In order to create jobs, we have got to empower the people to make their own choices. We need to craft legislation in Congress that won't cause additional harm to our economy but will instead give Americans the flexibility they need to grow their businesses.

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

Mr. MCDERMOTT. Madam Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

Mr. OBERSTAR. Madam Speaker, I thank the gentleman from Washington for yielding time.

There is a very important provision of this bill that we are hoping to pass for a second time to send back to the other body, and that is to correct the lapse in payment to 1,913 employees of the Federal Highway Administration, the Federal Motor Carrier Safety Administration, and the Research and Innovative Technology Administration because the authority for the Federal highway program lapsed due to the objections of the Senator, the Representative in the other body, who held up the bill and then delayed the whole process, and through no fault of their own, these hardworking career employees were shortchanged.

A long-term secretary of the Federal Highway Administration office in Seattle, who would normally net \$1,548, lost \$390 because of that furlough. That is unreasonable. An entry-level program analyst in Chicago of the Federal Highway Administration normally would take home \$1,200, but would take a \$300 cut for doing his job. Well, that is unreasonable. The bill we have before us will reinstate these funds.

And I just want to restate what I said just a couple weeks ago, the Congressional Budget Office, nonpartisan arbiter of the cost of legislation, determined that H.R. 4786 will not require any new Federal funding and will not increase outlays. It will draw on administrative funding that has already

been authorized and appropriated for the department. It will not cost the Federal Government a single dollar beyond amounts already provided. The Secretary of Transportation has already moved, is prepared to move these dollars as soon as we give him that authority. We ought to do that now.

Mr. DAVIS of Kentucky. Madam Speaker, I yield 10 minutes to the distinguished ranking member of the Energy and Commerce Committee, the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I recognize myself for 1 minute, Madam Speaker.

The SPEAKER pro tempore. The gentleman has been yielded time, but he does not control that time.

Mr. DAVIS of Kentucky. Madam Speaker, I ask unanimous consent that the distinguished gentleman from Texas control his 10 minutes.

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

There was no objection.

Mr. BARTON of Texas. I appreciate the Chair insisting on regular order. It's nice that we have that. That's a good thing, not a bad thing.

I am going to yield myself, Madam Speaker, 1 minute.

We are here today because sometime this morning the majority decided, or at least they decided to inform the minority, to extend a number of bills, several of which are primary jurisdictional to the Energy and Commerce Committee, of which I am the ranking member. Probably the most important of the bills in terms of economic impact in the short term is the physician reimbursement fix, the DRG fix. If I understand this bill correctly, it has been extended for another month.

We also have the Satellite Home Viewer Reauthorization Act, which is totally within the jurisdiction of the Energy and Commerce Committee. And it is also being extended for 1 month.

Madam Speaker, we don't have to do this kind of thing. If we could really get to regular order, we could bring these bills up, we could work in a bipartisan fashion, and we could find permanent or at least annual solutions to these bills. We don't have to hully gully this type of thing.

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

Mr. BARTON. I yield myself an additional 15 seconds.

And to be told at 10 o'clock this morning about this bill, which is a compilation of several bills, is just a disservice to the American people.

With that, I would like to yield 2 minutes to the distinguished ranking member of the Energy and Commerce Subcommittee on Telecommunications and the Internet, Mr. CLIFF STEARNS of Florida.

Mr. STEARNS. I thank the distinguished ranking member, and I have to say I like his term "hully gully." That is probably a good description of what has happened here. I am sure a lot of Members don't even know about this

extension. So I think it is a credit to the majority that they brought this up, because I think all of us want to see this important medical correction for doctors.

Under the current SGR formula, doctors face a 21 percent cut in their Medicare reimbursement. This fix would delay those cuts until April 30. Because the majority has not properly addressed real Medicare reform, we continue in the House to apply these short-term patches rather than provide doctors with a permanent solution to the reimbursement formula. We have known about this for a long time. There is no reason we have to bring this up, as the ranking member says, hully gully.

Although this correction, fix, extension is important, also important in this bill is the Satellite Home Viewers Act, which is extended through April 30. I am glad that this extension is included, but I am hoping we can move the 5-year extension that passed this body overwhelmingly, bipartisan support, by a large margin, but now my colleagues have bogged down in the United States Senate. This temporary extension that we are voting on today includes the section 119 licenses which actually govern the transmission of distant and local television signals by cable and satellite television operators as well as provisions of the Communications Act of 1934 concerning the retransmission of broadcast station signals. As you can see, this is very important to get this full 5-year extension.

My colleagues, in December 2009 the House passed the Satellite Home Viewer Reauthorization Act by 394-11. And yet here we are, we can't seem to shake the bill loose in the Senate, although the Senate Commerce, Science and Transportation and the Senate Judiciary Committees have all reported this measure out of their committees.

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

Mr. BARTON of Texas. Madam Speaker, I yield the gentleman an additional 15 seconds.

Mr. STEARNS. I am glad we are extending this important law temporarily, but I am hopeful it will move forward on a permanent basis, a 5-year extension. And obviously, I am very glad the current SGR formula is being fixed, corrected today, and at least we have a 30-day hiatus.

Mrs. CAPPS. Madam Speaker, I rise in support of H.R. 4851.

This bill takes the necessary steps to extend crucial health care provisions in law that would otherwise expire soon. Although there is a sense of déjà vu in voting to prevent an impending 21 percent cut to Medicare and TRICARE reimbursements, we must take action to prevent those cuts from going into effect. I am sure all of my colleagues are well aware of what such cuts would mean to the health providers in their own districts and the restricted access to patients if the cuts happen.

The House can be proud of passing H.R. 3961 this last fall to permanently solve the annual Sustainable Growth Rate, or the SGR, program. But our friends in the other Chamber have failed thus far to act. And until they do, we must ensure that the cuts do not go into effect.

H.R. 4851 also provides a crucial extension to the current arbitrary Medicare beneficiary therapy caps. When outpatient therapy is considered medically necessary for a patient, we should never put an arbitrary limit on the dollar amount that can be spent to provide this important care. And I support the provisions of this bill to allow Medicare beneficiaries to continue receiving the outpatient therapy care that they need.

Finally, I applaud the inclusion of a provision in this bill to correct an inadvertent error regarding electronic health records and incentive payments for physicians who implement them. Through our technical correction in this legislation, we will ensure that physicians who work in outpatient clinics that are owned by hospitals will be eligible for these important incentive payments. Encouraging the adoption of health information technology in all health care settings is a priority shared by my colleagues on both sides of the aisle. I am pleased that we will further improve adoption of electronic health records with this fix.

I urge my colleagues to support H.R. 4851 and the important health care provisions included in this bill.

I reserve the balance of my time.

Mr. BARTON of Texas. Madam Speaker, I yield myself 5 minutes.

It may have been explained before I got on the floor, so if I am repeating something that has already been said, I want to apologize in advance. But I do want the American people to know what this bill does. It is a bill that takes eight existing laws, and as I understand it, extends them for 1 month. It takes the unemployment insurance fund, extends it for a month; the COBRA premium assistance fund, extends it for a month; the Medicare physician freeze, it prohibits that for another month—or the cut to physician reimbursement under Medicare. An extension of Medicare therapy caps, extension for a month. A very unusual situation where we are going to use 2009 poverty numbers instead of 2010 poverty numbers, because apparently in 2010 the poverty level in the United States went down, so the majority wants to use 2009 numbers so that there will be larger payments for some of the poverty programs, which is interesting given that the deficit is over a trillion dollars this year.

□ 1515

An extension of the National Flood Insurance Program, extension of the Satellite Television Home Viewer Act, a program out of the transportation committee to repay furloughed workers on highway projects, those are the

eight current laws that are being extended. There is also a technical fix on health IT in terms of the definition of doctors that worked for hospitals or worked for clinics.

None of these issues, Madam Speaker, needs to be addressed in the type of an omnibus extension on such a short term. Every one of these on its own has merit. Every one of these on its own could come to the floor in a bipartisan fashion and be debated and probably pass for longer than 1 month.

I am trying to understand why the three bills that are in the committee of jurisdiction that I am the ranking member of, the Energy and Commerce Committee, that's the Medicare Physician Freeze, the Medicare Therapy Caps Extension, and the Satellite Television Home Viewers Act, why those three bills have to come to the floor for 1 month in this fashion.

I don't know when the majority decided to do this. I know that the minority staff was informed of it at approximately 10 o'clock this morning. We're now on the floor at 3:15 in the afternoon.

Take aside the merits of the programs on policy and process alone, we should vote these down on suspension. In a week in which the American public is expressing legitimate outrage because the majority is contemplating bringing the biggest domestic policy bill of this Congress, i.e., the health care reform package, to the floor under a rule that would have a self-executing feature to it where we would deem something passed if we pass the rule, it would seem to me that the Speaker and the majority leader and the committee chairman would not want to pile insult onto insult and bring these bills to the floor under a process where you combine bills from numerous committees of jurisdiction with no notice, for all intents and purposes, and bring them to the floor. At least in this case we are going to get an up-or-down vote on the bill, which is a good thing. But it's not a vote on the rule that self-executes. So I want to commend Chairwoman SLAUGHTER of the Rules Committee for that and Speaker PELOSI.

But again, we don't have to operate, the United States of America, like we're a third-world country that doesn't know how to run a democracy.

Again, on the merits, Republicans have said for physician reimbursement we believe there should be a fix. We believe that the physicians need to be reimbursed in a fair fashion in the current Medicare reimbursement system. We support some of these therapy cap reforms. We certainly support the Satellite Television Home Viewer Act. So this isn't something that the only way to do it is to put it together in a big package and put it on the floor 1 month at a time. The only advantage I can see is that this just kind of treads water; it provides some sort of a vote this afternoon.

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

Mr. BARTON of Texas. I would yield myself 30 additional seconds.

So I guess the other thing that I need to point out to Members of the body and to the American public is, because of the procedure, this is all deemed, apparently—and I hate to use that word. This is all defined to be emergency, and so it's not paid for.

The rule that brought these bills to the floor waives PAYGO, and my recollection is not too many months ago my friends in the majority were beating themselves and congratulating themselves because they had instituted these tough PAYGO rules. But if I am correct, I believe that none of this is paid for and the rule does not require PAYGO.

With that, I reserve the balance of my time.

Mrs. CAPPS. Madam Speaker, I continue to reserve.

Mr. BARTON of Texas. How much time do I still have?

The SPEAKER pro tempore. The gentleman from Texas has 1 minute. The gentleman from Kentucky has 6 minutes.

Mr. BARTON of Texas. I would yield 1 minute to a distinguished member of the Energy and Commerce Committee from Flower Mound and Denton, Texas, Dr. MICHAEL BURGESS.

Mr. BURGESS. I thank the gentleman for the recognition.

One minute is not much time to deal with what is a very complicated process. It is unfortunate we didn't have more time to actually look at this bill before it came to the floor on the concept of expanding the definition of a hospital-based physician for the use and purposes of electronic medical records in the stimulus bill that was passed last year. That's a good provision. That was language that we had asked for in the letter that was signed by 293 Members of this body that went to the acting director for the Center for Medicare and Medicaid Services.

I do have to point out, Ranking Member BARTON is exactly right. This SGR problem is not an emergency. Everyone in this body knew this was going to happen. What this signals us is perhaps the Democrats don't have the votes to pass their health care bill because, otherwise, the fix would be included in their health care bill. The fact that we are having to provide yet another month signals to me that they don't have the votes to pass their larger underlying bill.

There is no other Member in this body that wants this SGR fixed more intensely than I do, but this is not the way to go about it. It is not an emergency. It should not come to us at the 11th hour. That is an insult to the Nation's physicians. They can't run their businesses when we always do it in this fashion.

Mrs. CAPPS. I continue to reserve.

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

Mr. DAVIS of Kentucky. Madam Speaker, as I said in my opening statement, I urge support for H.R. 4851 to

continue unemployment and health insurance benefits for long-term unemployed workers, along with extensions of other important expiring provisions like the Medicare reimbursement provisions that my colleague from Texas just mentioned.

But as we, as a Congress, redouble our efforts on the task of empowering Americans to create jobs, we need to remember the four causes of this. Even as we help in those places where jobs are hardest to find, promoting job growth ultimately needs to be the broader goal.

One thing that we could do as a Congress to promote job growth and help our economy stand up and restore confidence in investing would be to stop the ramming of this health care bill through the House of Representatives presumably without even taking a vote on it. I think there is a small detail in the Constitution that would suggest my colleagues on the other side of the aisle have a small problem explaining that to their constituents.

But let's look at the base principles in this bill. There are good elements in it, small individual elements. But the framework, the foundation on which it is built is not only flawed, it would be destructive to the American economy and make it into the equivalent of an Eastern European health care system within 10 years.

First of all, it's based on huge tax increases. We still don't know what the reconciliation numbers are, but we know by commentary off the floor that the score from the Congressional Budget Office was far more than anything that's been presented in public thus far. Taxing health insurance is going to do one thing. It's going to reduce access to health insurance because less benefits will be provided by employers. It's very simple. Those of us who have run businesses understand this. We go without payroll to make sure our employees are covered. But we need to keep in mind the reality of what is happening. Taking money out of our pockets to fuel the growth of Federal bureaucracy is not right.

The second thing that's done on the opposite end of the pipeline is a half a trillion dollar cut in Medicare benefits. In my going on 6 years in Congress, I have never seen \$1 taken out of waste of the Center of Medicare Services. We hire more people, we put more rules in place, but we don't take the overhead out to simplify the processes.

Indeed, in the Ways and Means Committee, a simple amendment offered by the gentleman from Illinois to study point of sale and credit card architecture technology that's used in every convenience store in America was rejected; as one gentleman from Texas called it, a pumpkin designed to enrich insurance executives. We use that every day. We use that in our identification cards here to vote. We don't have that integrated in our government. That's why citizens complain all the time about dealing with Washington, D.C.

The final thing that's done on top of all of this is the only job creation program that's coming out of the legislation being considered this week is the hiring of over a hundred thousand new Federal workers who have to be paid for by taxpayers. That means that many jobs have to be created for every one of those.

When I stop and think about this, I'm amazed, because we're not fixing the waste, the excess, the broken processes, the unintegrated database, and the contradictory regulations between the agencies. All we're doing is making the problem bigger and, in the end, it will result—as your own bill says with its waiting list language—in rationed care.

Finally, let's talk about the overwhelming majority of the American people. It is astounding to me the awareness level at all levels of our society of this bill and, frankly, the fear that is out there; not fear from things I say back home, but when people read the bill and see what it means. I'm not talking about cable television fear mongers. I'm talking simply about good Americans who are doing their civics homework like some of my colleagues in both bodies have failed to do and don't remember the basis of why we're sent here. And then when we can't get that popular vote because of fear of Members of retribution in the fall—which I guarantee you is going to come and all of us will be held accountable for our vote—to deem a bill that takes over nearly one-fifth of the economy—let's think what “deeming” means for my fellow Americans watching.

I could deem each of my children a Ph.D. I could deem them a good house. I could deem them a great future. In fact, while we're here deeming things, let's deem world peace, then we would do away with lots of expenditures. You all know the absurdity of that statement on the false premise that is raised with deeming. Why are we doing it? Because it creates a subterfuge that is wrong and violates Article 1 of the Constitution.

At the end of the day, there will be an accounting to the American people. We agree on good things that can get done. Let's do those good things. Let's fix the government waste, fix the private market, and provide real medical liability reform.

I yield back the balance of my time. Mrs. CAPPS. Madam Speaker, I yield back any remaining time that I might have.

Mr. McDERMOTT. Madam Speaker, I listened to my colleagues. I think they wanted the 20 minutes to talk about the health care bill. They didn't really want to talk about this piece of legislation that's out here in front of us.

This bill is here because the Republicans in the Senate continue to use the filibuster to stop any orderly process over there of dealing with the problems of this country.

And I don't know whether it's ignorance or amnesia, but “deeming” is a

process that comes out of something that some of the senior Members know about, maybe the junior Members don't know about. This is called the Jefferson's Manual, and it provides the rules for the House, and it's where “deeming” comes from and all of the rest of the things that happen in the House.

In fact, just to remind you, Speaker Hastert, Speaker Gingrich used deeming on 202 occasions. Now, this is no big surprise. This is no surprise that fell out of the sky.

And no, I won't yield. I think I've listened to you talk about deeming enough. I want to talk about deeming for a second.

Deeming is rules of the House, and the reason you're doing that is so that we can get something done because people in the Senate are requiring, through the filibuster, that 60 votes be in the way of anything that happens. Now, if you insist on that when 50 votes is a majority, then you're going to get things like using arcane rules in this thousand-page rule book. And we will use it just like Speaker Gingrich used it, just like Speaker Hastert used it, to get around obstructionists.

And now I would yield to the gentleman from Kentucky.

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Mr. DAVIS of Kentucky. I thank the gentleman for yielding. My question is when you, as a party, deemed the debt increase of nearly \$2 trillion, I would say that it makes any deeming of budgetary issues, even the Deficit Reduction Act reconciliation process, seem almost as a grain of sand. We might as well deem all votes and not even come here and answer mail in our offices if we are going to continue to deem one-fifth of the economy under government control.

Mr. McDERMOTT. Ultimately, we have to go out and face this. And when we pass this health care bill, you are free to campaign against a bill that gives health coverage to 30 million Americans and that closes the doughnut hole. If you want, you can go home and argue with the seniors and say, I didn't want a bill that closed the doughnut hole. That was a stupid bill. I voted against it. What you are free to do after this bill passes is to go home and argue against the things that are in the bill. The people back home have no understanding what “deeming” is. It's inside baseball in this place. You wait, when you go and try, on the campaign trail, to sell the idea that you were against doing anything for 30 million people.

Mr. DAVIS of Kentucky. Would the gentleman yield?

Mr. McDERMOTT. I yield.

Mr. DAVIS of Kentucky. When the cashier at our local supermarket asked me about the reconciliation process and deeming and how can you pass something you don't vote on, I think the message is already at the grassroots.

Mr. McDERMOTT. I would suggest that the gentleman has tried to create

an issue, but it won't last. Nobody remembers any of the debate before Social Security. Nobody remembers any of the debate before Medicare. Of course, there were people saying all kinds of things out here. But when the bill is in, the people will take the benefits and be grateful for the Congress that acted on their behalf. I urge everyone to vote for this bill. The unemployed should not suffer again because of Senate filibusters.

Mr. LINDER. Madam Speaker, drip, drip, drip.

Here we are for yet another extension of unemployment benefits and various related programs. These programs have been repeatedly extended, even as Democrats claim their economic stimulus plan has worked and is creating jobs. Well, it's not, and our presence on this floor today is yet another affirmation of that obvious fact. If stimulus was working, more people would have paychecks. But it's not, so we are here to hand out more unemployment checks instead.

Let's review the history of just the unemployment benefit extensions we are continuing today.

In June 2008, Congress created a new Federal "temporary" unemployment benefit program paying 13 weeks of unemployment benefits, on top of 26 weeks of State benefits. CBO said the UI portion of that bill would cost \$14 billion. Unemployment was 5.5 percent.

In November 2008, that temporary program was expanded by 20 weeks of benefits—for a new total of 59 weeks of UI per person. CBO said that would cost just under \$6 billion. Unemployment was 6.9 percent.

In February 2009, Democrats' stimulus plan extended the temporary program through 2009 and nationalized the Federal/State extended benefits program, among other changes. That added another 20 weeks of Federal benefits, for a total of up to 79 weeks per person. CBO said that would cost \$40 billion. Unemployment was 8.2 percent.

In November 2009, Congress added another 20 weeks of temporary extended benefits, for a record total of 99 weeks of UI per person. CBO estimated that would cost \$2 billion just in the last few weeks of 2009. Unemployment was 10 percent.

In December 2009, the temporary program was extended for two months. CBO said that would cost \$14 billion. Unemployment was 10 percent.

Last month the program was extended through March, at a cost of \$8 billion. Unemployment was 9.7 percent.

And here we are again today, pondering yet another extension or expansion—the sixth of the program created in the summer of 2008—costing yet another \$6 billion. Since this program began, CBO estimates would suggest we will have spent a total of \$90 billion on Federal UI benefits through the end of next month. And that's not counting another \$50-plus billion it would cost to extend these programs for the rest of this year, as the Senate approved last week.

Unemployment has soared from 5.5 percent to 10 percent. Yet our colleagues on the other side of the aisle press on with their claims that this is somehow creating jobs. It's not.

What it is creating is more unemployment taxes, to cover the costs of the record unemployment benefits States are paying out.

Those are taxes on jobs, which are rising in 35 States this year, by a total of 44 percent.

Madam Speaker, we have tried extending unemployment benefits again and again. And we have only gotten more unemployment. Yet what unemployed workers really want are jobs and paychecks. We need to start over and do the things that really help create jobs for unemployed workers. That means eliminating uncertainty by scrapping Democrats' government health care takeover and cap and tax energy plans, extending expiring tax cuts on businesses and individuals, repealing wasteful stimulus spending, and committing to not increasing any tax until the economy has fully recovered.

Until we do that, additional extensions of unemployment benefits will simply spend even more money we don't have without truly helping unemployed workers find jobs, which must be our real goal.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. McDERMOTT) that the House suspend the rules and pass the bill, H.R. 4851, as amended.

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

A motion to reconsider was laid on the table.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2010

Mr. COSTELLO. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4853

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Aviation Administration Extension Act of 2010".

SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking "March 31, 2010" and inserting "July 3, 2010".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "March 31, 2010" and inserting "July 3, 2010".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "March 31, 2010" and inserting "July 3, 2010".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2010.

SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "April 1, 2010" and inserting "July 4, 2010"; and

(2) by inserting "or the Federal Aviation Administration Extension Act of 2010" before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking "April 1, 2010" and inserting "July 4, 2010".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2010.

SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103(7) of title 49, United States Code, is amended to read as follows:

"(7) \$3,024,657,534 for the period beginning on October 1, 2009, and ending on July 3, 2010."

(2) OBLIGATION OF AMOUNTS.—Sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2010, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the period beginning on October 1, 2009, and ending on July 3, 2010, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2010 were \$4,000,000,000; and

(B) then reduce by ⁸⁹/₆₆₅—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking "March 31, 2010," and inserting "July 3, 2010,".

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking "April 1, 2010," and inserting "July 4, 2010,".

(b) Section 44302(f)(1) of such title is amended—

(1) by striking "March 31, 2010," and inserting "July 3, 2010,"; and

(2) by striking "June 30, 2010," and inserting "September 30, 2010,".

(c) Section 44303(b) of such title is amended by striking "June 30, 2010," and inserting "September 30, 2010,".

(d) Section 47107(s)(3) of such title is amended by striking "April 1, 2010," and inserting "July 4, 2010,".

(e) Section 47115(j) of such title is amended by striking "April 1, 2010," and inserting "July 4, 2010,".

(f) Section 47141(f) of such title is amended by striking "March 31, 2010," and inserting "July 3, 2010,".

(g) Section 49108 of such title is amended by striking "March 31, 2010," and inserting "July 3, 2010,".

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking "April 1, 2010," and inserting "July 4, 2010,".

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking "April 1, 2010," and inserting "July 4, 2010,".

(j) The amendments made by this section shall take effect on April 1, 2010.

SEC. 6. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k)(1)(F) of title 49, United States Code, is amended to read as follows:

"(F) \$7,070,158,159 for the period beginning on October 1, 2009, and ending on July 3, 2010."