

going to buy something from the store and you heard they had a 5 percent sale this month, 10 percent sale next month, 15 percent sale the third month, when would you go buy it? And President Reagan responded after a pause, Are we going to have a bad couple of years, Art? He said, Exactly. And that's exactly what happened because they did not cut taxes 30 percent off the bat.

But once the 30 percent taxes kicked in, the economy turned around in such a dramatic and short period of time that President Reagan was elected to a second term, when in 1982 people didn't think that was going to be happening; but it did because he cut taxes.

Well, let's look at what the economic forecast is for the United States. We know that, come January of next year, we are going to have the biggest tax increase in the history of the country. The biggest tax increase in the history of the country.

Now, we know that when the Republicans had the majority, they didn't have 60 votes in the Senate, and so they were pushing and pushing trying to get the tax cuts to be permanent. But they didn't have the 60 votes in the Senate. The only way they could get it passed because of the Democratic obstruction was to agree to have the tax cuts go away at the end of 2010.

I wasn't here. It was a year or so before I got here, but I personally believe they should have pushed, they should have gotten it done, they should have made sure those tax cuts were permanent so that nobody could come in here and have what we are going to have the end of this year, the biggest tax increase in the whole American history without even having a vote, just letting the tax cuts expire.

Well, since we know capital gains rates are going to shoot up, we know the marginal rates income tax are going to shoot up, we know that the estate tax is going to go from zero, shoot back up to 55 percent. Talk about socialist.

The estate tax, the death tax says: you've accumulated too much and you don't deserve it, so we are going to give you a little exemption and then we are going to take over half of everything else you have accumulated through the blood, sweat, and tears of you and your family.

That just doesn't seem right. It seems like some law that you would find in the old Soviet Union before they went broke because it does so much to discourage a family business or a family farm. But that's what is coming.

And now, on top of that, we have just had, as somebody said, the mother of all unfunded mandates on the States. Texas has done so well; it is going to have to come up with \$25 billion under this bill over the next 10 years. So much for the money they had saved and tried to make sure was there for the rainy day. Here came a flood, and not from nature, not from nature's

God, but from the hand of the President signing a bill that was rammed through against the will of the American people, through this House and through the body at the end of the Hall. Can you think of a worse time to increase taxes?

You know, we heard from Caterpillar this week; \$100 million it's going to cost them just this year.

You wonder, well, why did they make that announcement? If you are a corporation and you know there is bad news coming, then you have got to get it out there; otherwise, somebody may come after you and say you artificially inflated your stock prices by keeping bad news secret. So we find out. I believe we saw John Deere may lose \$150 million this year. I mean, devastating these businesses.

Well, perhaps there are people here in this body or down the Hall that thought Caterpillar, John Deere, these other companies just had too many employees, so they said it's time to go ahead and lay more people off. Let's put them on unemployment, let's extend unemployment, let's have more and more people without a job. Because that is what has happened.

I know I am being sarcastic. I know people across the aisle and down the Hall do not want to see more people lose their jobs. I understand that. But that is the effect of what is happening by the senseless stuff we are passing the last week, the last two weeks. And now we are going to take up cap-and-trade. As our friend, former Chairman Dingell, had said, It's not just a tax, it's a big tax. That's exactly what cap-and-trade is.

It's heartbreaking. People are going to lose their jobs right here around Easter time because of the senseless, hardheaded acts of this body and the one down the Hall: we don't care if the country doesn't want it; we don't care that the States can't afford it. We don't care that you couldn't pass the same bill right now through the Senate or through the House the way it was sent down here. We don't care. We are just going to pass it.

□ 2240

We're just going to pass it. It's unbelievable. Just unbelievable. We had friends here who thought that the Executive order would prevent and stabilize things so that you couldn't pry Federal money from people's hands; take their money, make it Federal money, and pay for abortions. But there are at least three ways under this bill that that's going to happen. Terribly unfortunate.

It was amazing, because it was as if someone was trying to trick America so you couldn't tell what was going to happen with abortion. Because I don't have the bill with me. I've got my copy back there in the cloakroom, but I've been through it. And you look, and at page 119, subparagraph B(i) it says, basically, you can't fund abortion with Federal tax dollars. If you had done a

word search for "abortion," you would not see page 122 come up, just three pages over. It wouldn't come up because "abortion" is not in that paragraph.

What it says is that people are required to make available health insurance policies that will cover abortions, but it doesn't say abortions. It says cover what is mentioned in B(i), that subparagraph, which is abortion. So you won't find it if you're doing a word search for "abortion." Sure enough, that's what's required.

And then—I'm sure it's just out of ignorance—people didn't know what the Hyde amendment really did. It prevented appropriations through the Labor-Health and Human Services appropriations bill from being used for abortion. But some people were bound to know. They're just bound to know. Somebody's staff. Somebody. Surely it just can't be me. There are bound to have been people who knew that this bill appropriated money. That money was appropriated, therefore, outside the Labor and HHS appropriations bill. Therefore, the Hyde amendment did not apply to it.

For those of us that know something about Executive orders, we know that an Executive order cannot be used—for one thing, you can't use to legislate. Another thing, you cannot use an Executive order to impound money that's appropriated in a bill that the House and Senate had passed. Number three, you can't use it for a line item veto to strike something you don't like. There's money in the bill for community health centers.

The SPEAKER pro tempore. The gentleman will suspend.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2010

Ms. RICHARDSON. Madam Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure and the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 4957) 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, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4957

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 "April 30, 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 “April 30, 2010”.

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking “March 31, 2010” and inserting “April 30, 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 “May 1, 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 “May 1, 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) \$2,333,333,333 for the 7-month period beginning on October 1, 2009.”

(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 7-month period beginning on October 1, 2009, 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 42 percent—

(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 “April 30, 2010.”

SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.

(a) Section 40117(1)(7) of title 49, United States Code, is amended by striking “April 1, 2010,” and inserting “May 1, 2010.”

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

(1) by striking “March 31, 2010,” and inserting “April 30, 2010,”; and

(2) by striking “June 30, 2010,” and inserting “July 31, 2010.”

(c) Section 44303(b) of such title is amended by striking “June 30, 2010,” and inserting “July 31, 2010.”

(d) Section 47107(s)(3) of such title is amended by striking “April 1, 2010,” and inserting “May 1, 2010.”

(e) Section 47115(j) of such title is amended by striking “April 1, 2010,” and inserting “May 1, 2010.”

(f) Section 47141(f) of such title is amended by striking “March 31, 2010,” and inserting “April 30, 2010.”

(g) Section 49108 of such title is amended by striking “March 31, 2010,” and inserting “April 30, 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 “May 1, 2010.”

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking “April 1, 2010,” and inserting “May 1, 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) \$5,454,183,000 for the 7-month period beginning on October 1, 2009.”

SEC. 7. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a)(6) of title 49, United States Code, is amended to read as follows:

“(6) \$1,712,785,083 for the 7-month period beginning on October 1, 2009.”

SEC. 8. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a)(14) of title 49, United States Code, is amended to read as follows:

“(14) \$111,125,000 for the 7-month period beginning on October 1, 2009.”

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

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HEALTH REFORM

The SPEAKER pro tempore. The gentleman from Texas may proceed.

Mr. GOHMERT. That was what we were fixing to do. It's now done, and so are so many American jobs because of what we have passed this week.

There's a line from a movie, “Broadcast News,” where Holly Hunter is telling an executive that he's making a wrong decision. And he says, in essence, It must be wonderful to always know what should happen. She says, basically, No, it's horrible.

The fact is, it must be wonderful for those who don't realize the human suffering that's going to come out of this bill—the people that lose their jobs, who don't realize that down the road we are going to devastate this thing that we used to call the free market system as government approaches taking control and, in some cases, ownership of 50 percent or so of the American economy. Who would have thought? When you can see where this goes, it's horrible, just like she said. It's horrible.

Community health centers have done wonderful jobs. They have helped so many people that needed it, but now they're being appropriated money that can be used for abortions. And there's nothing that can stop that; certainly not a flimsy Executive order that cannot impound money that's dedicated for something else. Besides that, an Executive order can also be changed on a whim. It happens all the time.

So, as I struggled and thought about how did we get to this point in history,

because there was a time if you went against the will of the State and you went against what you were sent up here to do, and that is serve and defend the Constitution, then your legislature, your State legislature that elected you, could yank you back. Because there's an amendment, number nine, that says: The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

This is the Tenth Amendment: The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. If it's not specifically enumerated in the Constitution, it's reserved to the State and the people. It's probably the most violated provision in the Constitution.

As some Justices have pointed out in speeches before, in 1913, we had the 17th Amendment. Because, apparently, some State legislatures had actually abused that system, sending State individuals up here to be U.S. Senators with an agenda that wasn't necessarily helpful to the country. So the 17th Amendment changed the ability of the State legislature to select a U.S. Senator, and it became a popular vote.

All week as I have talked about Article V of the Constitution, I've been very careful not to ever say that we should repeal the 17th Amendment, because I'm not sure that's a good idea. It needs more study, more looking. It needs the collective concentration of 50 States' best thinkers. We have heard other potential solutions to what happened when the elimination occurred of the only real check to this body and the Senate body usurping rights reserved to the States and the people. Once that was eliminated, then you began to have real unfunded mandates. States come up with money and do this. States come up with money and do that.

It was not supposed to be that way. This Federal Government was never supposed to be able to dictate unfunded mandates to States. It was never supposed to be allowed to usurp authority reserved to the States and the people by the 10th Amendment. But that's what has occurred because there was no check and balance to do that.

□ 2250

You've got the Supreme Court, but they are appointed by the highest elected Federal official, the President. They're confirmed by high U.S. Federal elected officials. So why would anybody think they would be out to protect the rights reserved to the States and the people? They should. It's what the Constitution said. They have an obligation to uphold the Constitution. They should. But that's not what has been occurring.

So what hit me was article V because I really believe, you know, that God can work things together for good. And through such a terrible thing, like this