

But the Democrat majority in this House is afraid to let the American people see more of its deficit spending. They don't want to put a budget on paper because then they'll have to debate it, and they'll have to explain to the American people why they want to keep spending hundreds of billions of dollars that we don't have.

#### THANKING OUR VETERANS

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

Mr. AL GREEN of Texas. Mr. Speaker, I stand to honor those who have died and have given their lives so that we might have a better life. But it's not enough to simply thank them with words. This is why the 111th Congress has passed Homes for Heroes, to help with the homelessness among our veterans. This is why we provided college benefits for the children of our veterans. This is why we produced a \$2,400 tax credit for employers who hire our veterans. This is why we provided a \$250 economic recovery benefit to our veterans. This is why we produced \$23 billion in health care and other services for our veterans.

They have been there for us. I thank God for them. It's time for us to continue to be there for them.

#### PASS THE SOUTH KOREA FREE TRADE AGREEMENT

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

Mr. DJOU. Mr. Speaker, I stand here today to encourage and request the United States Congress to immediately pass the free trade agreement with South Korea. This is an important measure that has languished too long before this Congress.

First and foremost, we need to pass this because it is important for our economy. Expanding free trade and opportunities for commerce for our Nation is critical in this time of an economic recession.

For my district in Hawaii, expanding free trade will directly help the tourist industry, the number one sector of my district. Second, South Korea has been a strong ally of the United States. It's important right now we stand alongside our important allies in the foreign fields. And third and finally, Mr. Speaker, given the recent instability in the Korean Peninsula and the aggression taken by North Korea, and as a Congressman who represents the first Congressional District in the flight arc of North Korea's missiles, it is important that we right now stand beside South Korea and pass this free trade agreement and pass it now.

#### PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 4213, TAX EXTENDERS ACT OF 2009

Ms. SLAUGHTER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1403 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 1403

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with the amendment printed in part A of the report of the Committee on Rules accompanying this resolution as modified by the amendment printed in part B of the report of the Committee on Rules. The Senate amendment and the motion 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 final adoption without intervening motion.

SEC. 2. House Resolution 1392 is laid on the table.

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

Ms. SLAUGHTER. Mr. Speaker, for purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

##### GENERAL LEAVE

Ms. SLAUGHTER. I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Ms. SLAUGHTER. I yield myself such time as I may consume.

Mr. Speaker, H. Res. 1403 provides for consideration of the Senate amendment to H.R. 4213. Mr. Speaker, the legislation is like many of the bills that we do. It's the product of many hours of hard work. It's also an effort to strike a balance between extending important life-saving assistance to laid-off workers and investing in smart spending that will help our economy.

A significant portion of the bill would go directly to helping our citizens. We extend unemployment insurance, we invest in summer jobs, fund loans for small businesses, and make bonds available to States. But I am pleased that the bill also cracks down on corporations, closing tax loopholes that have encouraged companies to ship jobs overseas, a thing I have devoutly desired for a number of years.

Unlike the previous administration, we use PAYGO rules here to make sure

that new spending, other than emergency spending, is fully paid for. In fact, it's worthy to remind my colleagues that the deficit facing the country was created by the last administration, which financed two wars, a prescription drug plan, and a huge tax cut, all of which was unpaid for, and consequently is responsible for two-thirds of the deficit.

In the recent frenzied back and forth over this bill, it is easy to lose sight of the important steps that Congress has taken up to this point to help right the economy. We passed small business tax relief, expanded the first-time home buyer tax credit, changed the way students apply for loans, funded a Cash for Clunkers program, injected money into the economy, and helped to protect domestic jobs at a critical juncture.

With this vote, we can help families across the country continue the path we set out on last year to help dig the country out of a terrible recession. For small businesses, the backbone of the Nation's economy, and the place where most American workers are employed, we use this bill to ensure them an easier time getting loans. The bill also continues the very successful research and development tax credit, a powerful incentive to creating well-paying jobs.

The measure extends the ongoing recovery by investing in Build America Bonds and Recovery Zone Bonds, making it less expensive for cash-strapped State and local governments to finance the rebuilding of schools and sewers and hospitals and transit projects.

The legislation helps American families with sales tax relief, property tax relief, disaster area tax relief, and college tuition deductions. The bill wisely invests in important energy provisions such as the biodiesel tax credit, while making good on our obligations to black and Native American farmers. Finally, the measure also strengthens the Oil Spill Liability Trust Fund by increasing the amount the oil industry must pay to clean up its disasters.

I also want to pause for a moment to talk about two pieces of legislation that I personally am happy to see in the bill, because I think they'll pay enormous benefits. This bill closes a loophole in the Tax Code that has been used by huge corporations, including publicly regulated utilities. Companies use this loophole to avoid paying millions of dollars in taxes when they spin off a subsidiary. These deals cost taxpayers and they hurt consumers, especially when the company using the loophole is a phone company that wants to get rid of the older telephone lines in small towns and rural areas. With this bill we close that loophole, and we will save taxpayers \$260 million over the next 10 years.

On another front, the bill also extends funding for the wool trust fund, which helps to keep thousands of textile and apparel workers around the country employed. I was proud to work on this issue because of the relevance it has to Hickey Freeman, a 100-year-

old company and maker of fine men's suits located in Rochester, New York.

The fund provides funds to makers of wool fabric and yarn producers, as well as sheep growers, to help maintain the domestic production of wool fabric. Too many of our industries in the United States have closed up and moved overseas. I frequently say that we can't be a great power if our entire manufacturing sector moves to other countries and we are obligated to buy from other countries for our very livelihood.

Mr. Speaker, Congress can rightly take great pride in some very historic work on behalf of our constituents this year; but we must remind ourselves that many people are still struggling, and we must do everything in our power to fund the necessary programs that protect the unemployed Americans, help small business, enhance job creation efforts, and keep America on the road to economic recovery.

I urge my colleagues to join me today in voting "yes" on the rule and "yes" on this bill.

I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I thank the gentlewoman from New York for yielding me the time, and I yield myself such time as I may consume.

It seems like every time I come to the House floor, I point out that my Democratic colleagues are using an unprecedented, restrictive, and closed process on the House floor, and here I go again to tell the exact same story. In fact, I am not even sure anyone on the House floor knows what we are debating or getting ready to vote on right now. It's amazing. Bill after bill, day after day. We were provided with a copy of the final bill at 9:06. I guess that beats 3:15 in the morning.

Mr. Speaker, Nancy PELOSI and the Democratic majority promised the American people that they would run the most open, honest, and ethical Congress. To date, this Congress and I think the last one has seen more backroom deals, arm twisting, and more partisan negotiations than ever before. I think the American people are fed up with it. They want transparency, they want accountability, and I think what they are looking for is solutions. Standing up and touting this bill when nobody even knows what's in it and how great it is, I think, a sham.

Mr. Speaker, it's my understanding that the Democrats, and I repeat that, it is my understanding that the Democrats are planning to amend the rule to change the text of the underlying legislation that we are discussing here right now. Are they planning changes to the \$100 billion in spending? I don't know. What are they going to do? I don't know. What's in the amendment? More spending? I betcha. More taxes? I'm sure. Are they gutting the State Medicare funding portion? Are they eliminating the COBRA extension? Will doctors see a 21 percent cut in reimbursement next week? I don't know, nor does anybody who is going to vote on this bill.

□ 0930

Unfortunately, the answers to all of those questions, regardless to what's in their amendment, is yes. The Senate has already made it clear to this House and my Democratic colleagues, the press, and the American people that they will be going home—as a matter of fact, they've already done that—before acting on the extenders package that we are doing right now.

So, Mr. Speaker, what is the point? Why is the Speaker having this bill today on the floor? This isn't about jobs. It's not about the unemployed. It's not about those without insurance or it's not even about physicians. It's about a political agenda. It's about taxing and spending and a message on this floor that tries to make it seem like it's the reverse.

I would submit to you that if this Democratic majority were trying to help small business, they'd start with any one of the top five issues that small business has and that they present through the National Association of Manufacturers, and they've done this for years. That list is ignored.

Yesterday in CQ Today, the chairwoman of the Rules Committee was asked whether the Democrats' backroom deals were going to hold up on the House floor, and her response, and I quote, Are you kidding me? We're Democrats.

Mr. Speaker, what's in the deal? Does it provide any real solutions? Are we voting on this to accomplish anything? I would say in the next 2 hours we will be voting on legislation that this body will have no clue what is in the bill. Once again, par for the course.

It's also my understanding that the Democratic priorities of implementing new and permanent taxes, increasing debt spending, deficit spending, and fixing errors and oversight in the Democrats' trillion dollar health care bill is exactly what it will also be in the bill today. But I don't know. Yet the majority continues to patch the Nation's problems together with expensive short-term fixes that create even greater budget shortfalls in the future rather than dealing honestly with them.

Monday night in the Rules Committee, I asked Chairman LEVIN to quantify, please, how many jobs this bill would create since the majority insists on calling it a jobs bill. The fact is he couldn't. This legislation throws billions of dollars at a bunch of short-term solutions while creating permanent, new taxes on business. I know the Democrats like to call them corporations, but I call them employers.

This legislation will increase the tax treatment of carried interest for real estate, energy, and investment partnerships, in some cases more than doubling the tax rate from 15 to 35 percent. That's it. The Democratic agenda: Tax and spend. Tax and spend employers, and then blame it on them when something bad goes wrong. Maybe better, blame it on George Bush.

Also, this bill increases payroll taxes on S corporation shareholders as well as changes the longstanding U.S. International Tax Code law. According to the U.S. Chamber of Commerce, these changes could saddle small business, American worldwide companies, and investment partnerships with draconian tax increases that will hinder job creation and decrease the competitiveness of American business. And that I quote. Yet my friends on the other side of the aisle are still calling this a jobs bill. I know what it is, and so do you. Taxing and spending—the hallmark of the Democratic majority. Job killing measures once again present on the floor of the House of Representatives today.

Additionally, Mr. Speaker, the extenders bill that is before us today has billions in additional health care spending, spending the Democrats couldn't find to offset for their \$1.2 trillion health care bill. So they didn't include it because they wanted to mask the true costs of the bill that we passed on or around March 22.

One key example, this legislation prevents a 21 percent cut to physician reimbursement for Medicare payments, but by preventing this cut for the next year and a half, they leave physicians with a 33 percent cut in 2012 that will cost over \$300 billion to fix. That's not open; that's not honest, and I don't believe that's ethical.

Mr. Speaker, today I talked about how Republicans over and over continue to be shut out of the process on the House side, even right now, where I suspect my colleagues would offer an amendment to change the text to something not one of my Republican colleagues have seen and no one on the House floor has read.

This legislation provides us, for a couple of months, an extension for non-controversial extenders by levying new permanent tax increases on small business—the engine of our economy—and, of course, investment partnerships.

And lastly, this legislation uses budget gimmicks to push our Medicare programs further in debt, putting the care of our Nation's seniors at risk. Yet my friends on the other side of the aisle continue to move forward with this tax-and-spend agenda and then blame their inability to receive the results they want on somebody else.

I urge a "no" vote on the previous question to bring some fiscal restraint back to this House and "no" on the rule.

I reserve the balance of my time.

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

I've heard the phrase all my life, as you have, of "taken out of context." Let me assure anybody who wants to know about that, no reporter has ever said to me, Do you think your backroom deals are going to hold up? And if anyone were to ever say that to me—and I hope to keep that record intact—believe you me, I would not laugh and

say, We're Democrats. I do recall saying to somebody yesterday with pride that we are Democrats, and I am proud that we are Democrats. We are the people who are trying to take care of the people without jobs in this country and to make the climate right to create more.

Now, before I yield to my next speaker, I want to let Members know that I will be offering an amendment to the rule at the end of the debate. The amendment makes three changes to the text that has been posted on the Rules Committee Web site since Thursday, May 20. It strikes two sections from the House amendment—section 511, section 516—and it changes the effective date and the carried interest provision making it effective on December 31, 2010, instead of the date of enactment.

The amendment provides for a separate vote on section 523, which is the SGR, the so-called doc fix, and a vote on the remainder of the modified House amendment. This does not add money, Mr. Speaker. It subtracts it.

I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I want to thank the chairwoman of the Rules Committee for yielding, and I urge support for the rule, as amended.

For far too long, Members on both sides of the aisle have talked about the need to reform the way we pay physicians under Medicare and provide them with a fair and reliable reimbursement. Today, unless we act, physicians are facing a 21 percent cut in their reimbursement, and such a drastic cut will drive physicians out of the Medicare program and make it harder for seniors to see a doctor.

Mr. Speaker, if we fail to act, people will be harmed. I've already seen it take place back in my district. I've had patients call me to say that their doctors will no longer take Medicare because of the cuts they are faced with. House Democrats have tried to prevent this from happening. Last year, we passed a bill that would have permanently repealed the flawed formula that results in these annual cuts and replaced it with a more stable payment system. But that bill passed the House with only the support of one Republican, and, unfortunately, the Senate was not able to find the support for a permanent fix.

So we've been forced back to legislating by patchwork, a 6-month extension here, a 60-day extension there. But if our Senate colleagues cannot find the votes for a permanent repeal, then we need to provide the longest relief that we can. This bill will provide doctors with a positive update for the rest of this year and next year that will help doctors cover their growing costs and continue to serve Medicare patients, and it will give those of us in Congress more time to work with the physician community to find a workable solution that can pass both the

House and the Senate, hopefully with Republican support.

The policy in this bill is not everything I hoped for. I know the physician community wanted more, but it's important to pass this to make sure we do no harm, by preventing those drastic cuts from taking effect.

So I urge my colleagues on both sides of the aisle to vote "yes." This is a very important piece of legislation.

Mr. SESSIONS. Mr. Speaker, at this time I yield 3 minutes to the distinguished gentleman from Pasco, Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I want to thank my good friend from Texas for yielding me the time.

Mr. Speaker, I am disappointed that Democrat leaders have decided not to allow the House to vote on my amendment to improve the proposed Cobell Indian settlement, a settlement that benefits individual Indians across the country.

The amendment I offered was simple and addressed improvements requested of Congress by individual Indians, tribal leaders, and an association of more than 50 federally recognized tribes in the Northwest.

Mr. Speaker, I want to make it very clear, a settlement on this issue is long overdue, but the agreement negotiated by the Obama administration and the plaintiffs' lawyers can be improved by Congress to benefit individual Indians. And let me explain why.

While most of the Indians will get between a \$500 and a \$1,000 check, the lead plaintiff could receive \$15 million or more as an incentive award. A handful of lawyers could be paid over \$100 million, which is almost one-third of the value of the claims that they litigated.

Two months ago, the plaintiffs' attorneys were asked to provide Congress with documents to justify their large fees and expenses. After repeated inquiries, Mr. Speaker, the attorneys have provided no information to this date. Instead of responding with documents to justify how much they should be paid, the attorneys have instead threatened to kill the entire deal if they are denied the ability to get the \$100 million.

Mr. Speaker, I want to emphasize this. Every dollar paid to the lawyers is a dollar taken out of the pockets of individual Indians. My amendment caps attorneys' fees at \$50 million, and by doing so, it reduces the payments to lawyers to increase payments to individual Indians. My amendment would also benefit individual Indians by correcting several other flaws that were identified by Indian country. The committee has the ability to fix these flaws on a bipartisan basis.

The settlement has been changed by the administration and the plaintiffs four times already. While the House won't be allowed to vote on this amendment to improve the settlement to better benefit individual Indians,

Mr. Speaker, I am hopeful that the Senate will act to make the improvements that Indians, tribal leaders, and respected tribal organizations are asking Congress to make.

Congress should be afforded the opportunity to fix the settlement in response to requests from our Indian constituents. By refusing to make my amendment in order, Democrat leaders have turned their back on these requests.

Ms. SLAUGHTER. Mr. Speaker, 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. I thank the gentleman for yielding.

So here's one of the issues before the House today. Say you have an American company that owners live here and they decide that they can make more money by sending their jobs to Asia or south of the border, out of the country, and they do. And they bring the money home and enjoy it here, but the jobs go overseas. And they figure out a way to game the tax laws so they don't pay taxes for that business to the United States Treasury. So the profits come home, the jobs go overseas, and the tax revenue doesn't flow into the Treasury. This bill closes that loophole. It says, if you outsource our jobs from this country, you don't get off the hook when it comes to the IRS.

Now, what does it use the money for? Well, if an American business goes into a bank today and the bank says, you know, we would make this loan to you to expand your business but we just need a little more collateral, a little more guarantee, this bill says the Small Business Administration can step in and make that loan happen and create those jobs. Or a woman running a software company or a biosciences company says, I've got a real opportunity here to hire more scientists and researchers, but I just can't quite find the capital.

□ 0945

This bill says she can hire five scientists for the price of four because of the research and development tax credit, or the mayor and council of a town is saying we could fix our antiquated clean water system. We could build a new water treatment system and have cleaner water and more jobs for people in our town, but the interest rates are just a little bit too high for us. If we could borrow the money just a little bit less expensively, we could create more jobs.

This bill says that they can do that. This bill creates jobs, and it pays for the creation of those jobs by saying that those who outsource our jobs can't get off the hook and have to pay their fair share of taxes. Now I know this discomforts some on the minority side. I know it goes against their philosophy that whatever corporate America does, it is okay. We think if you outsource

your job you shouldn't get off the hook for your tax obligations.

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

Ms. SLAUGHTER. I yield the gentleman 1 additional minute.

Mr. ANDREWS. I know that it was a longstanding tradition under the prior administration and the erstwhile majority to let people outsource American jobs and not pay their fair share of taxes. Those days are ending, and the days of jobs hemorrhaging from this economy are ending because we are re-investing in small businesses, local governments, and entrepreneurs around this country to put our people back to work.

That's the legislation before the House today. I would urge a "yes" vote.

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

Mr. Speaker, you know there is no way to get around this. This is a monster tax increase and permanent tax increase on taxpayers and business.

I want to quote from the National Association of Manufacturers, which are all about American manufacturers: American companies who do business overseas will find a monster tax increase on them for doing business, penalizing them.

It says many of the tax-increase proposals, which are mischaracterized as a tax loophole—you know, they are actually tax law—actually represent significant changes to a tax policy that has been supported by Congress and this administration.

Now, they are going to come back and change that. You have got to blame somebody.

It's obvious to me that what we will end up doing is pinning the tail on the donkey, because we know who is about trying to kill jobs. It comes through heavy taxation, and it comes through rules and regulation. I have got letter after letter after letter from businesses across this country who say this will harm American jobs.

Mr. Speaker, I yield 5 minutes to the gentleman from San Dimas, California (Mr. DREIER), the ranking member of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, we were all promised, this institution and the American people were promised, back in 2006, a new direction for America.

Mr. Speaker, that was, in fact, the title of a publication that then-minority leader, my California colleague, NANCY PELOSI, put forward. What did it promise? It promised a new era of transparency, disclosure and accountability. A new era of transparency, disclosure and accountability.

Well, Mr. Speaker, I will inform you that exactly 47 minutes ago, at 9 a.m. Eastern time, we were handed this amendment to the rule.

Now, as I look at this morning's CQ Today, I did read the quote to which

my friend, the distinguished chair of the Committee on Rules referred. When asked if this was a precooked measure, she responded by saying, Are you kidding? Are you kidding me? We're Democrats. That's the quote. That's the quote that appears in this publication.

Now, Mr. Speaker, as I read this quote, I am reminded of the statue that we always encourage our constituents to look at and rub the feet of as we go into Statuary Hall, and it's the statue of Will Rogers. Will Rogers, that great comedian, famously said, "I am not a member of any organized political party. I am a Democrat."

Now, Mr. Speaker, we have observed over the last 3 days the Democratic leadership running around this institution like chickens with their heads cut off, attempting to put together some deal which, when asked if it was precooked, the Chair of the Committee on Rules said, Are you kidding me? We are Democrats.

Well, Mr. Speaker, the American people get it. They are not getting the kind of transparency they were promised, and we are seeing a measure here that is being put into place which I am convinced will continue to have the deleterious effect that the other measures that have been put into place over the last several months have created.

We all know that when we dealt with the serious economic downturn—and we can point fingers at ourselves—we can point fingers all over. But we do know that as we dealt with the economic downturn, that this Congress made a decision, I think an unfortunate one, to dramatically increase spending.

What is it that happened? Well, during that debate, we were all promised by the President and other leaders that if we were to pass that stimulus bill, we would ensure that the unemployment rate would not exceed 8 percent. In fact, we were told that by this time, with the implementation of the so-called economic stimulus bill, the unemployment rate would be 7.4 percent.

Well, Mr. Speaker, as we all know, the unemployment rate has surged, and it is just under 10 percent. Unfortunately, we continue to have people suffering.

I happen to represent the Los Angeles area in California. In my district, the unemployment rate is as high as 14.5 percent. There are parts of my State of California, the Central Valley of California, where the unemployment rate has exceeded 40 percent.

Now that's after we have been promised that the implementation of all the spending bills that we have had would ensure that we would not have an unemployment rate that would exceed 8 percent, and look at what has happened.

What is it that we are doing now? Well, we are looking at a multibillion dollar spending bill that will exacerbate, not ameliorate, the economic downturn, which we all want to emerge from.

Now, Mr. Speaker, my good friend Dennis Prager likes to say he has now put out bumper stickers. The great writer says, The bigger the government, the smaller the individual.

Mr. Speaker, we know that the bigger the government grows, the smaller the individual becomes.

We have learned that because as we look at the European model and, tragically, we seem to be seeing our friends on the other side of the aisle attempting to implement a European-style entitlement society—it has failed in Europe, Mr. Speaker, and we should do everything that we can to ensure that we don't pursue that same kind of policy here.

Mr. Speaker, I urge my colleagues to defeat this rule, create transparency, and let's go back to exactly what was promised.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. CHU).

Ms. CHU. Mr. Speaker, I stand here today in support of this rule and the underlying bill for one reason, and that is jobs, jobs, jobs. That's what this bill is about. It's about creating jobs across the country from Massachusetts to Florida to my home State of California.

This bill extends an important program I call Jobs NOW. While it may be little known, it's funded through TANF emergency funds, and it has a huge impact on the unemployed in 39 States, creating over 160,000 jobs, which will disappear in an instant if we don't pass this bill.

In L.A. County, it's paying 10,000 jobless workers \$10 an hour and placing them in temporary jobs for up to a year. In exchange, the businesses provide training, build job skills, and get extra workers at little or no cost. It's truly a win-win.

For small companies hard-hit by the economic downturn, the chance for extra workers to grow and expand their businesses is a welcome boost, even if it means providing training and workspace for the temps, and it's great for workers too.

Anoush and Karen lost their jobs when the recession hit. Forced to go on welfare, they struggled to provide for their 2-year-old daughter. But Jobs NOW hired them to work at Abex Display systems, which manufactures trade show displays. The company used them to help handle a slow but growing recovery in sales, allowing it to move forward and stabilize after taking massive cuts in business. After the temporary jobs ended, both Karen and Anoush were hired permanently.

This family and this business are making a comeback because of Jobs NOW. Let's pass this rule and H.R. 4213 to help working families and our Nation do the same.

Mr. SESSIONS. Mr. Speaker, I am delighted to have our colleagues on the Democratic side come and talk about jobs.

It's not going to happen. These are massive tax increases. Business is trying to say, through the letters which I

will more fully get into in a minute, that's how to kill jobs in this country, permanent tax increases. Oh, no, those are corporations, those are evil corporations.

My friends, they are called employers. You are putting permanent tax increases on employers, which means you will have fewer jobs in this country.

Don't blame it on somebody else; blame it on yourself. Pin the tail on the donkey. That's the reason why we don't have jobs. We don't have jobs because 4 years ago, when the Democratic majority took over, all they talked about is taxes and spending, rules, regulation, more on business. And Members come to the floor and say, this is just about jobs.

Read the bill.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Grandfather community, North Carolina, Dr. Foxx.

Ms. FOXX. I thank my colleague from Texas for yielding time and for handling this rule on the floor today.

Mr. Speaker, there are so many things to refute from our friends on the other side that there is simply not enough time to do it.

But what we need to say over and over and over again, that instead of addressing the staggering deficits and debt that the Democrats, who were totally in control of the Congress—and that needs to be repeated over and over and over again—what they are running up in Washington, \$714 billion in deficit spending in the first half of fiscal year 2010 alone.

Speaker PELOSI and Leader HOYER are trying to shield their Members from taking any more "tough votes" during an election year. Or, as one Washington newspaper put it, without much else on the House agenda, they simply don't have any excuses not to do a budget beyond cowardice.

Economists say that Washington needs to cut spending now to create jobs, but Democrats aren't listening. Out of touch Washington Democrats may think that by skipping the budget process this year, they can avoid the tough choices that come from governing. But they can't hide from our Nation's problems, especially when their job-killing agenda is making things worse. They could come to the floor and will say they are creating jobs, but the numbers prove otherwise.

The simple truth is while the liberals have repeatedly claimed their trillion-dollar 2009 stimulus plan was "the right thing to do," it's hard to tell that from looking at the job situation across the U.S. According to the latest data from the U.S. Department of Labor, by April 2010 a total of 48 out of 50 States had seen net job losses since the President signed the Democrat stimulus plan into law in February 2009.

The data show that only Alaska, North Dakota, and the District of Columbia have seen net job creation since then. Other than perhaps the predictable exception in D.C., even those

States that have seen some increases in jobs are still well short of the growth the White House originally forecast.

□ 1000

What is clear is that 2.7 million more jobs have been eliminated—eliminated, Mr. Speaker—since the Democrat stimulus was passed. Unemployment rose to 9.9 percent instead of falling to 7.4 percent, as Democrats predicted, and 15 million Americans—an all-time record for the month of April—are currently unemployed.

It's baffling that grown people charged with leading Congress cannot learn from their failed attempts at addressing the problems facing everyday Americans. And as my colleague from Texas has said, they like to bash corporations, but what they're bashing are employers.

They love to brag about how effective they've been in providing jobs, but I want to tell you, government jobs don't provide the viable solution to help get the economy back on its feet. According to a May 25, 2010 article in USA Today, "Paychecks from private business shrank to their smallest share of personal income in U.S. history during the first quarter of this year. At the same time, government-provided benefits—Social Security, unemployment insurance, food stamps, and other programs—rose to a record high during the first 3 months of 2010."

"Those records reflect a long-term trend accelerated by the recession and the Federal stimulus program to counteract the downturn. The result is a major shift in the source of personal income from private wages to government programs."

The American people know we don't need more government programs and more government spending. We need to spur on the private economy; and this rule, this bill will not do that.

I urge my colleagues to vote "no" on the rule and "no" on the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 30 seconds to quote from the Dallas Morning News for my colleague, Mr. SESSIONS:

"Texas employers expanded nonfarm payrolls by 32,500 jobs in April, the Texas Workforce Commission said Friday. That's the State's fourth straight month of job gains."

"The State has now gained 91,600 jobs in the first 4 months of the year."

Houston Business Journal this morning: "As the U.S. economy expanded for a third consecutive quarter, Texas posted some of the strongest numbers in the country."

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself another 10 seconds.

"Unemployment remained at 8.2 percent, giving Texas the lowest rate amongst large States, while existing home sales in the State grew in the first quarter by 16 percent compared to the same time a year ago."

And I would like to put these into the RECORD.

[From the Houston Business Journal, May 28, 2010]

SIGMABLEYZER: TEXAS LEADING ECONOMIC RECOVERY

(By Casey Wooten)

As the U.S. economy expanded for a third consecutive quarter, Texas posted some of the strongest numbers in the country, according to Houston-based private equity firm SigmaBleyzer LLC.

The Texas Business Cycle Index, which tracks movements in employment and GDP, increased for the third straight month.

Texas non-durable manufacturing also grew by 2.1 percent and 1.7 percent in 2008 and 2009, versus negative 3 percent and negative 5.6 percent nationwide.

"Strong foreign demand for U.S. goods is also driving improvements in industrial production," the report said.

Moreover, higher oil prices supported a nearly 10 percent growth in the Texas mining industry in March 2010 compared to the same month a year before.

Unemployment remained at 8.2 percent, giving Texas the lowest rate among large states, while existing home sales in the state grew in the first quarter by 16 percent compared to the same time a year ago.

U.S. GDP grew at an annualized rate of 3.2 percent for the quarter while Texas GDP grew at about 2 percent, but didn't drop as much compared to the rest of the nation during the lows of the recession.

TEXAS GAINS MORE JOBS AGAIN IN APRIL

(By Brendan Case)

Worries about the global economy have intensified in recent weeks, but for now the recovery in Texas is barreling ahead.

Texas employers expanded nonfarm payrolls by 32,500 jobs in April, the Texas Workforce Commission said Friday. That's the state's fourth straight month of job gains.

The commission also released revised data showing that Texas employers added 42,200 jobs in March—up dramatically from the 8,500 jobs announced last month.

The state has now gained 91,600 jobs in the first four months of the year after losing more than 350,000 in 2009.

"It's very good," said Mine Yücel, an economist at the Federal Reserve Bank of Dallas, referring to the latest jobs report. "It's doing better than we thought it was doing."

Despite the gains, Texas' unemployment rate edged up to 8.3 percent in April from 8.2 percent the month before. The overall U.S. jobless rate stood at 9.9 percent last month, up from 9.7 percent in March.

The slight increase in the unemployment rate might actually be a sign of a reviving economy, analysts said.

When the job market is weak, some people give up seeking work. People not actively looking for a job are not counted as unemployed.

Looking again

By contrast, a strengthening job market typically draws people back into the job market, leading to an increase in the unemployment rate. The Texas labor force grew by about 51,000 in April, nearly twice the monthly average during the previous 12 months.

"The general expectation is that with rising employment opportunities, you had some folks who were basically discouraged from looking for jobs and now they've gone back to looking for work," said Terry Clower, a University of North Texas economist.

There are plenty of reasons for caution, however.

Initial U.S. jobless claims rose unexpectedly during the week that ended May 15, the

U.S. Labor Department said Thursday. Building permits, an important housing indicator, fell last month. So did an index of leading U.S. indicators compiled by the New York-based Conference Board.

Moreover, global markets have swooned in recent weeks amid concerns about many European countries' debt levels and growth prospects.

"If Europe goes into the tank, that's going to affect us," said Bernard Weinstein, an economist at Southern Methodist University's Cox School of Business.

"We could have, if not another recession in the U.S., clearly another slowdown just at the point where the economy is finally picking up steam."

Patience needed

Certainly, the U.S. recovery will take time to dent widespread unemployment even if job creation continues.

One broad-based measure of unemployment and underemployment, known as the U-6 rate, includes not just the jobless but also people who have given up looking for work and part-timers who want to work full time.

Last month, the national U-6 rate stood at 17.1 percent, up from 16.9 percent in March.

No comparable April number is available for Texas. During the 12 months ending in March, however, the state's U-6 rate was 14.2 percent. The conventional unemployment rate over that time was 7.9 percent in Texas.

'Right direction'

Still, the recovery appears to have started. In April, Texas employers added jobs in eight of 11 employment categories, with education and health services and the construction industry leading the way.

"Overall, these numbers are certainly moving in the right direction," Clower said.

In the Dallas-Fort Worth area, employment rose by a scant 800 jobs after adjusting for typical seasonal variations.

Nationally, payroll employment increased in 38 states and Washington, D.C., in April. Three states added more jobs than Texas: Ohio picked up 37,300, Pennsylvania added 34,000, and New York gained 32,700.

Michigan continued to have the highest unemployment rate among states, at 14 percent. Nevada's jobless rate was 13.7 percent, followed by California at 12.6 percent and Rhode Island at 12.5 percent.

North Dakota had the lowest unemployment rate at 3.8 percent, followed by South Dakota at 4.7 percent and Nebraska at 5 percent.

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

Mr. Speaker, I would like to respond back that, in fact, we are doing well in Texas.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to Ms. JACKSON LEE, who is also from Texas and I hope will give us good news.

The SPEAKER pro tempore. The gentleman from Texas has been recognized.

Mr. SESSIONS. Mr. Speaker, I'll reserve my time while they figure it out.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 2 minutes.

Ms. JACKSON LEE of Texas. Let me thank the gentlelady and acknowledge that I am from Texas. And in addition to the good news, and we are still working to improve the conditions of Texans, this bill will be a cause celebre in the State of Texas.

We know, overall, 290,000 jobs have been created in the month of April over

the United States because this Democratic leadership had the courage to vote for the American Recovery and Reinvestment Act and the stimulus package that has generated the opportunities for job creation. My good friend and colleague indicated in an inquiry on the floor, What is the point? Well, I'll tell you what the point is. The point is that this bill saves taxpayer dollars, and it helps one of the basic infrastructures of job creation, small businesses.

And through the program that we are now extending—we are eliminating fees for loan packages—we will see increased opportunities for our small businesses to get what they need, the capital to hire people and to keep their businesses and their doors open. \$26 billion in loans has already gone out to our small businesses across America, impacting the numbers, Madam Chair, that you read in the Houston Business Journal, where the small businesses are one of the basic infrastructures of our community. Their doors are open, they are securing loans, and they're hiring people.

What is the point? The point is that we have provisions dealing with community college and career training, an idea that I had that individuals could be getting their unemployment insurance but be trained for new jobs. This is in this provision based upon utilizing trade provision dollars.

What is the point? Summer jobs, 375,000 summer jobs, only costing \$1 billion over a 10-year period, paid for. The highest unemployment is among our youth, 16 to 19, and among minority youth it is even higher. The Congressional Black Caucus worked extensively to ensure that we would have summer jobs money.

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

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Ms. JACKSON LEE of Texas. I lived through the era of the Bush administration that had no summer jobs, no concern about our young people, and I tell you it was a crying shame.

The doctor fix: my doctors in Houston, the Texas Medical Center, those who work very hard to provide patient services to our seniors, we are providing them with a 2.2 increase, 1 percent in 2011, and then it goes up to current levels.

Closing foreign loopholes is saving taxpayer money. That is the point. And of course recognizing that we're creating jobs, jobs, jobs.

You know what the point is? We have the courage to make a difference for America.

I rise in strong support of H.R. 4213, The American Jobs, Closing Tax Loopholes and Preventing Outsourcing Act. I would like to thank my colleague, the Honorable SANDY LEVIN, Chairman of the Ways and Means Committee, for introducing this important legislation.

Mr. Speaker, getting all Americans back to work is, and should be, our number one pri-

ority. It is essential that the Congress continue to create avenues that will provide employers with incentives to hire and to retain new employees. Therefore, I have been a major supporter of comprehensive efforts to create jobs for the unemployed constituents of the 18th Congressional District of Texas, as well as throughout the State of Texas and the nation.

Indeed, as a Member of the Congressional Black Caucus, I have been working tirelessly to ensure that the number of jobs available in the economy drastically increases. This includes an increase in the amount of summer jobs, jobs for the long-term unemployed, and jobs for the permanently laid off. Also, I continue to support efforts to relieve the plight of many Americans, in vulnerable communities, who have been hit hardest by unemployment.

Again, Mr. Speaker, H.R. 4213, "The American Jobs, Closing Tax Loopholes and Preventing Outsourcing Act" is the right bill at the right time in our economic recovery. The bill is yet another important measure, which I strongly believe is essential to addressing the nation's alarmingly persistent high rate of unemployment, particularly among African-Americans, Hispanic Americans and others vulnerable populations.

A January 2010 Washington Post article reported that unemployment for African-Americans is projected to reach a 25-year high this year. Some believe the national rate of unemployment for African-Americans will soar to 17.2 percent, and the rates in five states will exceed 20 percent. Of course, we know during the course of the recession, the unemployment rate has grown much faster for African Americans and Latinos than for whites.

Through the American Recovery Act of 2009, Congress was able to provide much needed assistance to many Americans who were struggling from the effects of the economic downturn and the collapse of our financial markets. Unfortunately, of the \$787 billion provided through the economic stimulus package, the unemployment rate in the U.S. has not been substantially reduced; currently, the unemployment rate in the U.S. stands at 9.9 percent.

Again, any comprehensive initiative to create jobs is welcomed, because I remain concerned about high unemployment anywhere it is being experienced in the U.S. According to the Texas Workforce Commission, the current unemployment rate for Houston is 8.4 percent, while a May 6, 2010 Los Angeles Times article noted that the national unemployment rate for Hispanic Americans exceeded 13.0 percent.

Because unemployment remains acute and needs persist that in communities all across the country, I support the major provisions of the bill, including:

(1) Small business lending—The bill will extend the small business lending program created under the American Recovery and Reinvestment Act. This program will eliminate the fees normally charged for loans through the Small Business Administration, providing access to capital not available in the private market.

(2) Infrastructure investments—Under the bill, comprehensive relief is provided for our Nation's aging infrastructure and transportation needs. A wide range of measures including addressing housing, schools and hospitals. Funds are provided to continue remediating the nation's "Brownfields" sites, opening up

new opportunities for redevelopment of distressed communities.

(3) Summer jobs—The bill funds a summer jobs program for the Nation's youth. Our Nation's youth ages 16–19 have a 25% unemployment rate—some of the highest unemployment numbers in the country. Reducing unemployment among the Nation's youth will be widely beneficial to working poor families and the youth themselves.

(4) National Housing Trust Fund—The bill capitalizes the much need National Housing Trust Fund, providing expanded assistance to communities with major shortages of affordable housing.

(5) Oil Spill, Flood Insurance and Mine Safety—The oil spill in the Gulf of Mexico highlights the need to increase the liability cap for oil companies for cleanup purposes from \$1 billion to \$5 billion. The bill also extends the expiration date of the National Flood Insurance program to December 31, 2010. Mine safety issues are also funded in this bill, providing incentives for mining companies to have up-to-date safety equipment.

(6) Closing Tax Loopholes—the American Jobs and Closing Tax Loopholes Act of 2010 includes a series of measures designed to close tax loopholes exploited by individuals and corporate entities, as well as a means of closing tax loopholes for foreign subsidiaries of U.S. companies, another means of keeping jobs at home.

(7) Medicare's Sustainable Growth Rate (SGR)—Another major provision of the bill related to affordable health care cancels the scheduled pay cut for Medicare physicians. This will enable the Nation's physicians to continue serving the Nation's growing elderly population and to stay in practice.

In addition, the legislation will help companies and State and local governments generate jobs, while providing tax relief and economic assistance to many American families in need of assistance. I agree with Chairman LEVIN when he indicates, "By promoting jobs here in the U.S. and cracking down on loopholes that encourage companies to move overseas, we strengthen opportunities for American workers and businesses so that we can continue building on recent economic growth toward a robust recovery." The extension of unemployment and health benefits through the end of the year is also critical to many workers and their families to make ends meet while they continue to search for jobs.

Given the fact that the U.S. economy has shown signs of improvement, the use of fiscal stimulus is the most prudent policy to sustain economic growth and to create jobs as the major restructuring of the U.S. economy continues. We are now part of the global economy, with implications for the future of the U.S. economy. However, we must first look within to determine our priorities—the number one priority has to be the American worker. We must get jobs in the hands of the most vulnerable individuals in the country.

In addition, I will work with my colleagues to restore the COBRA extension and the State Medicaid assistance (FMAP) provisions of the original bill.

Mr. Speaker, I stand with Chairman LEVIN in support of this bill and urge my colleagues to do the same.

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

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 3 minutes to the gen-

tleman from Michigan (Mr. LEVIN), the chair of the Committee on Ways and Means.

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

Mr. LEVIN. I will be speaking at greater length, though only for a few minutes, when the rule passes.

I want to say just a few things about what this bill is all about. The basic bill has been here for more than a week, and so anyone who says they don't know what's in it has failed to read it. It says, and it means, jobs and jobs and jobs.

There are provisions for business, there are provisions for local communities in terms of infrastructure. We're talking about supporting millions of jobs in this country, and so we will get to that.

I think your discomfort is that this indeed is a jobs bill and it will create more jobs, and the path has been started some months ago. Contrary to the path under the Bush administration, when jobs were lost, now they are being gained, and this bill will help gain them further.

Secondly, the gentleman from California talked about the unemployment rate in California. This bill extends unemployment compensation through the end of November of this year. So when he has a chance to help the hundreds of thousands of unemployed people who are looking for work in California—and those of you on the minority side who also face unemployment and who have tens, if not thousands, of people who are unemployed—how are you going to vote? Are you going to turn your backs on the unemployed who are looking for work? We'll have to see.

And then there is some reference to the tax provisions. As I will explain, there are numerous tax provisions to help small business in this bill, numerous provisions: the R&D tax credit; the biodiesel tax credit, which many want; the provision for real estate improvements to maintain the 15-year depreciation, which helps to stimulate jobs; jobs for service industries overseas, which they want; and allowing manufacturers to be able to use their AMT.

This is paid for, unlike the years I sat on the Ways and Means Committee under the Republicans when there was never anything paid for.

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

Ms. SLAUGHTER. I yield the gentleman 2 additional minutes.

Mr. LEVIN. So the complaint is now we are closing loopholes. We're closing provisions worked out with the administration, that asked for a much larger package, that will make sure that the foreign tax credit is not abused so that jobs are shipped overseas. So instead, jobs are created in the United States of America. So this is about a jobs bill, a jobs bill to create jobs in the United States of America and to help those who can't find them get some help.

We will talk about the physician fix, or the effort to treat it—it's not really

a fix. It's to provide reimbursement to physicians so that they can provide care for their patients. And so you say it's only 19 months. When you were in power, that was the most you did, and usually there was much less out. You're going to vote against that? Well, we'll see.

And there is a provision here relating to veterans, and I close with reference to this: The Military Officers Association of America has sent a letter saying they "have strong support for H.R. 4213. The Military Officers Association of America is also grateful that H.R. 4213 includes authority to implement the administration's proposal to phase out the disability offset to military retired pay for servicemembers forced into premature medical retirement as a result of service-caused disabilities."

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

Ms. SLAUGHTER. I yield the gentleman from Michigan an additional 30 seconds.

Mr. LEVIN. "It is patently inequitable that current law forces these members to fund their own VA disability compensation by forfeiting most or all of their military retired pay. H.R. 4213 properly acknowledges that such members should be vested for retired pay earned by service, independent of any service-caused disability."

The test will come in a few hours where you stand on jobs and where you stand for the veterans of this country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Let the Chair simply remind Members that they should address their remarks to the Chair.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina, Dr. Foxx.

Ms. FOXX. I thank the gentleman from Texas for yielding again.

I had to come back after I heard our colleague just speaking because I think that it is time that we create a new dictionary that explains the language being used in Washington.

As my colleague from Texas pointed out earlier, our colleagues across the aisle, Mr. Speaker, constantly bash corporations, but we prefer to call them "employers." Our colleagues across the aisle talk about revenue all the time, but revenue in Washington means taxes on American workers.

□ 1015

Yet the word, the phrase, that really got my attention this morning was the comment that my colleague said: We pay for these.

Ladies and gentlemen, the Congress has no money other than what it confiscates from the American taxpayers. I am really getting tired of our colleagues across the aisle pretending that we in Congress somehow or another use largess that comes like manna from Heaven to do things for the American people. They're doing their best to get the American people

to think of dependency on the Federal Government. That is the wrong way to go. They aren't paying for anything. You, the American people, are paying for every one of their ridiculous, wasteful products. It is time we stop it.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are again reminded to address their remarks to the Chair, not to other Members and not to the television audience.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank the gentlewoman for yielding.

I would say to my friend, the gentlewoman from North Carolina, through the Chair, that maybe, instead of a dictionary, we should have a math book or a history book brought out, because there is some historical context, recent historical context, to this discussion.

Mr. Speaker, we were told in January of 2009, with respect to the Recovery Act that was on the House floor, that it is clear that it doesn't create the jobs or preserve the jobs that need to happen. That was said by our friend, the minority leader of the Republicans, Mr. BOEHNER, that it is clear that the recovery bill doesn't create the jobs or preserve the jobs that need to happen.

Now, in the 3 months that were in the context of that remark, for example, in March of 2009, the economy lost 753,000 jobs. In April of 2009, it lost 528,000 jobs. We brought to this floor a bill that put construction workers back to work by building transportation projects. If they bought homes, we gave people tax credits for their downpayments. We sent more people to colleges and to universities on Pell Grants. We cut taxes for small businesses and families across the country.

Then what happened? Well, in March of this year, the economy added 230,000 jobs. In April of this year, the economy added another 290,000 jobs.

So the other side said in good faith, in January of 2009, these things would not work. They were wrong. They haven't worked as quickly as we want. They haven't worked as much as we want, but the tired philosophy that says that inaction and inattention will fix the problem has failed. A philosophy that says that giving American entrepreneurs, American taxpayers, American construction workers the chance to succeed will and does.

Mr. SESSIONS. Mr. Speaker, in fact, the gentleman is correct. There were jobs that were added. They were government jobs. They were government jobs because of the census, and that is why we saw an uptick.

Let's go back to Texas. I know there has been a lot said about Texas. In Texas, unemployment jumped from 6.8 percent in April 2009 to 8.1 percent in April 2010. That's an additional 188,600 people unemployed.

I appreciate you all in trying to take credit for this great, robust economic

boom that's going on in this country. The fact of the matter is it's not working that way.

Mr. Speaker, I submit for the RECORD a letter dated May 24, 2010, from IBM. I'm going to read just the last paragraph because it shows, really, the misnomer of my Democrat friend's argument about how great this bill is, the jobs bill.

It reads, "Despite the 1-year renewal of the R&D tax credit, which we and other technology firms have long supported, the late insertion of large, new, permanent tax increases, together with hundreds of billions in new deficit spending that has not been offset, leads IBM to strongly oppose this legislation."

Hundreds of billions of dollars in new deficit spending.

This reminds me a lot of the firefighter who goes out and sets a fire and then shows up to put it out, trying to get credit when, in fact, that firefighter is an arsonist. IBM gets it. IBM gets it and they understand: hundreds of billions of dollars of new deficit spending that has not been offset.

IBM,  
GOVERNMENTAL PROGRAMS,  
Washington, DC, May 24, 2010.

Hon. SANDER M. LEVIN,  
House of Representatives,  
Washington, DC.

Hon. DAVE CAMP,  
House of Representatives,  
Washington, DC.

DEAR CHAIRMAN LEVIN AND RANKING MEMBER CAMP: IBM strongly opposes the "tax extenders" legislation pending before Congress this week. Although our company has been a long-time supporter of the R&D tax credit that has enjoyed bipartisan support in Congress over many years, the pending legislation would impose significant new tax increases that will completely overwhelm any positive economic effect of the R&D tax credit, harming the U.S. economy just as recovery has begun.

The legislation released on May 20 includes new, permanent—and sometimes retroactive tax increases inserted into legislation under the pretext of "paying for" a temporary tax credit for R&D and other expiring provisions. These new tax increases have never been the subject of Congressional hearings and were developed behind closed doors without input from taxpayers.

The U.S. international tax system has evolved over time to help American companies compete in the global marketplace against foreign competitors who operate under more favorable global tax systems. IBM's foreign earnings help fund domestic investment and research and result in meaningful US jobs. As such, increasing taxes on IBM's foreign earnings will have a negative effect on these investment decisions. Rather than adopting changes on a piecemeal basis, any changes to the international tax rules should be considered in the broader context of comprehensive tax reform.

Despite the one-year renewal of the R&D tax credit, which we and other technology firms have long supported, the late insertion of large new permanent tax increases, together with hundreds of billions in new deficit spending that has not been offset, leads IBM to strongly oppose this legislation. We do, however, support an open discussion

about comprehensive reform of the U.S. tax system.

Sincerely,

CHRISTOPHER PADILLA,  
Vice President, Govt. Programs.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS) to refute the notion that all new hires in the United States are census takers.

Mr. ANDREWS. I thank the gentlewoman for yielding.

Mr. Speaker, my friend from Texas made a statement, I believe, that most of the jobs created were census jobs. Did the gentleman tell us how many jobs were census agency jobs created in the last 2 months?

I yield to the gentleman to answer the question.

Mr. SESSIONS. I thank the gentleman for asking.

You know, I had seen a report, and we received information up in the Rules Committee that there would be an expectation of 500,000 census jobs across the country.

Mr. ANDREWS. Reclaiming my time, the gentleman said that most of the jobs created in the last 2 months were census jobs. How many were created in the last 2 months that are census jobs?

I yield to the gentleman.

Mr. SESSIONS. I appreciate the gentleman.

I think the overwhelming context I had was that the jobs that are being created are in government.

Mr. ANDREWS. Reclaiming my time, the gentleman's statement is wrong. A small minority of the jobs created in the last 2 months have been census jobs. The gentleman is wrong.

Mr. SESSIONS. I appreciate the gentleman's yielding to me.

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

Ms. SLAUGHTER. I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, a colleague on the floor just used the terminology "confiscated," and I certainly want to respect her use of a word in the dictionary.

Yet I would say to men and women of the United States military, to whom we are providing funding from the revenue that we collect, that that money is not being confiscated. To those disabled veterans who are getting a tax benefit, we are not confiscating money; we are giving them dollars. To those who are on the Louisiana coast, who are going to get a benefit from the increase in the oil trust fund to help them clean up the disaster in Louisiana, we are not confiscating money but using the Federal resources to help the American people.

We are helping America. That is what this vote is about. The Republican opposition do not want to help America. We do.

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

we began this rule by talking about Republicans' having received a copy of the rule and the bill at 9:06. We talked about how the Senate has left town and that we are doing this bill today to no avail, because it expires when we will all be gone, which is next week.

We've got doctors who will not be properly reimbursed. Oh, I'm sorry. That big cut occurred from this Democrat majority, and now we're trying to show up and show how we've got to help physicians. Once again, it reminds me of that firefighter who sets his own fire. This Democrat majority cut the doctors. Now we're hearing that doctors won't see Medicare patients, and now we show up to save the doctors.

Mr. Speaker, the bottom line to this whole thing is that massive, new tax increases are in this bill, while at the same time, somebody is trying to take credit for all of these millions of new jobs that will be created. Yet, when asked, the chairman of the committee had no evidence to support that. It was just an opinion.

That is exactly the same kind of opinion that we saw from the prior chairman of the Ways and Means Committee, who, when asked about the health care bill—and even though he knew it would diminish jobs because of the guesstimate of CBO of some 5 million jobs—wanted to push this as a jobs bill, wanted to push health care as a jobs bill, and now we are doing it again.

The U.S. Chamber says changes to the tax treatment of real estate, energy, and investment partnerships will result in negative consequences for capital formation, innovation in real estate, energy, investment, and jobs in America.

The bottom line is that this Democrat majority has three big political items, not just taxes and spending, but the three largest political items will net lose 10 million American jobs, as decided by the Congressional Budget Office.

This Democrat majority is insistent on killing jobs in America. They are insistent on taxing and spending. They are for the diminishment of the investor, and they are going to kill the goose that lays the golden egg. I think it is a big mistake to try and show up and say, Those darned Republicans won't go along with us. They won't vote for an extension of unemployment.

I will tell you what the Republican Party stands for: It is jobs, investment and the opportunity to have more jobs in this country.

Mr. Speaker, we end our debate today.

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

The gentlewoman from New York has 4¼ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, in a moment I will be offering an amendment to this rule. I want to briefly explain the amendment. It is very simple. It strikes two sections from the House

amendment printed in the Rules Committee report.

No. 1: It strikes section 511, the COBRA extension.

No. 2: It strikes section 516, the State Medicaid Assistance, or FMAP.

It also makes a change in the carried interest provision, making it effective on December 31, 2010, instead of the date of enactment.

Finally, the amendment divides the question of adoption of the House amendment into two votes:

One vote will be on section 523, which is the SGR—the doc fix. The other vote will be on the remaining portions of the House amendment.

That package contains provisions to extend American Recovery and Reinvestment Act job programs. It provides tax relief to working families; extends business tax credits; provides pension relief; extends unemployment insurance, TANF, and flood insurance; provides relief for disaster areas, including relief for agriculture disaster areas; provides domestic energy tax provisions, closes tax loopholes, and hope-fully prevents outsourcing.

I hope Members will vote in favor of this amendment as well as in favor of the rule and the previous question.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Speaker, I have an amendment to the rule at the desk.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

AMENDMENT TO H. RES. 1403 OFFERED BY MS. SLAUGHTER OF NEW YORK

Strike all after the resolving clause and insert the following:

“That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with the amendment printed in part A of the report of the Committee on Rules accompanying this resolution as modified by the amendment printed in part B of the report of the Committee on Rules and the further amendment printed in section 2. The Senate amendment and the motion 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 final adoption without intervening motion. The question of adoption of the motion shall be divided for a separate vote on the matter proposed to be inserted as section 523.

SEC. 2. The further amendment referred to in the first section is as follows:

(1) Strike section 511 of the matter proposed to be inserted by the amendment printed in part A of the report of the Committee on Rules as modified by the amendment printed in part B of the report of the Committee on Rules.

(2) Strike section 516 of the matter proposed to be inserted by the amendment printed in part A of the report of the Committee on Rules as modified by the amend-

ment printed in part B of the report of the Committee on Rules.

(3) In section 412(f)(1) of the matter proposed to be inserted by the amendment printed in part A of the report of the Committee on Rules, strike “the date of the enactment of this Act” and insert “December 31, 2010”.

(4) In section 412(f)(2) of the matter proposed to be inserted by the amendment printed in part A of the report of the Committee on Rules, strike “the date of the enactment of this Act” and insert “December 31, 2010”.

(5) In section 412(f)(3) of the matter proposed to be inserted by the amendment printed in part A of the report of the Committee on Rules, strike “the date of the enactment of this Act” and insert “December 31, 2010”.

(6) In section 412(f)(4) of the matter proposed to be inserted by the amendment printed in part A of the report of the Committee on Rules, strike “the date of the enactment of this Act” and insert “December 31, 2010”.

(7) In section 412(f) of the matter proposed to be inserted by the amendment printed in part A of the report of the Committee on Rules, strike paragraph (5).

(8) Section 523 of the matter proposed to be inserted by the amendment printed in part A of the report of the Committee on Rules as modified by the amendment printed in part B of the report of the Committee on Rules is further amended by adding at the end the following new subsection:

“(b) Statutory Paygo. 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, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.”.

SEC. 3. House Resolution 1392 is laid on the table.”.

□ 1030

Ms. SLAUGHTER. Mr. Speaker, I urge a “yes” vote on the rule.

I yield back the balance of my time, and I move the previous question on the amendment and 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.

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

The yeas and nays were ordered.

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

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

agreeing to the Speaker's approval of the Journal;

suspending the rules and adopting House Resolution 1391;