

colleagues in the House to pass the RAPID Claims Act, H.R. 2377, which I introduced to take commonsense steps to improve the benefits system and to provide our wounded warriors with a faster response on their disability claims. It's the least we can do.

I also urge the House to pass the E-SERV Act, H.R. 2470, which I introduced to improve the efficiency of the current electronic health record system for military personnel and veterans. We must seek to make the VA system work better for our military personnel, for our veterans, and for their families.

This Veterans Day, I want to say thank you again to all of our vets and to all of our servicemembers for their sacrifices for our freedom and our security. They always deserve the very best.

God bless our veterans. God bless our servicemembers. God bless Indiana. And God bless the United States of America.

REPUBLICAN JOBS AGENDA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Missouri (Mr. LONG) for 5 minutes.

Mr. LONG. Mr. Speaker, I came to Congress as a small business owner. And as any small business owner will tell you, the government can't create jobs, only the private sector can.

I think it's easy to forget, but the United States Government does not have any money that it does not first take from productive citizens and businesses. When the government spends to create jobs, it has to take money from people who earned it and who would have spent it or invested it otherwise—the broken window effect, if you will. So the reality is that government spending trades productive private sector jobs for usually wasteful public sector jobs.

With record unemployment affecting families across the Nation, now is not the time to increase the public sector on the backs of the private sector and increase the burdens on our small businesses. Small businesses are the engine that drives this economy, and it's time for the government to get out of their way.

As part of the House GOP Plan for America's Job Creators, we've opposed the President whenever he wants to create new taxes or more regulations. So far this year, the House of Representatives has passed many bills that focus on job creation. These are real jobs bills that create real wealth-producing private sector jobs—not fake bills like the stimulus that didn't do anything but stimulate the national debt—bills that empower small business owners, fix the Tax Code to help job creators, increase competitiveness for U.S. manufacturers, encourage entrepreneurship and growth, maximize domestic energy production, and pay down America's unsustainable debt burden. Some of these have passed the

Senate and gone on to become law, believe it or not. The free trade agreements, for instance—for which I am especially proud.

When 95 percent of the world's customers are outside of America, it's no surprise that jobs would be created as our companies are allowed to compete and expand on the world stage. In fact, it's estimated that by pursuing those agreements, we're creating up to a quarter of a million new jobs. Good jobs will be created right here in America at a time when jobs are badly needed.

House Republicans have also tried to fix our Tax Code. Complying with our confusing Tax Code costs Americans billions every year—over \$160 billion in 2009 alone.

We need to get Washington out of the way by simplifying the Tax Code and lowering tax rates. We need a Tax Code that is flatter, fairer, and simpler, a Tax Code that creates jobs by making America more competitive. That's why I'm proud Congress passed the Small Business Paperwork Mandate Elimination Act, which eliminated the 1099 form mess. The 1099 form created an unprecedented accounting and paperwork burden on small businesses across this country. A National Federation of Independent Business small business survey determined the form is the most expensive burden placed on small businesses by the Federal Government.

Another House jobs bill that has now become law is the America Invents Act, a bill that brings long-overdue patent reform. So three free trade agreements, a tax reform bill, and a patent reform bill—if you're counting. Out of the many jobs bills, only those have escaped the graveyard of the United States Senate. It seems that some would rather campaign and complain instead of doing what we know will create jobs. We know that throwing money at problems doesn't solve a thing. If it did, then all of our problems would have been solved with the stimulus. We know that eliminating burdensome overregulation and restrictions on job creators is a sure fire way to create jobs.

We need legislation that encourages entrepreneurship and growth. America has historically been on the cutting edge of innovation and technological development, but we are increasingly falling behind our global competitors. We must make it easier for existing businesses to grow and allow more start-up companies to flourish. That's why the Senate needs to pass the Reducing Regulatory Burdens Act, the Energy Tax Prevention Act, the Clean Water Cooperative Federalism Act, the Consumer Financial Protection and Soundness Improvement Act, the Protecting Jobs from Government Interference Act, Transparency in Regulatory Analysis of Impacts on the Nation, the Cement Sector Regulatory Relief Act, the EPA Regulatory Relief Act, the Coal Residuals Reuse and Management Act, and we need to fix the Tax Code.

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The Gettysburg Address is 272 words; the Declaration of Independence, 1,500 words; the Constitution, 7,200 words; the Federal Tax Code, 10 million words.

Our Tax Code needs to be fixed, and that's why the Senate needs to pass the 3 percent withholding rule repeal, which would repeal the 3 percent withholding on our contractors' payments with Federal, State, and local governments.

This job-killing requirement would create costly new work for Federal, State, and local governments and hold the money hostage from government contractors. The IRS needs to learn that hurting businesses, cities, towns, and consumers during a recession is not going to get our economy back on track.

Much like the costly Form 1099 requirements that Congress repealed earlier this year, the 3 percent withholding rule would impose more burdens on cash-strapped employers and hurt job creation. Instead of focusing on job creation and economic growth, business and local governments will have to focus on enormous administrative and financial challenges.

Just today, we learned the leadership in the Senate has been burning the midnight oil figuring out a way to even gum up this 3 percent repeal.

CHINESE CURRENCY MANIPULATION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. VISCLOSKY) for 5 minutes.

Mr. VISCLOSKY. Mr. Speaker, I rise today to address the issue of Chinese currency manipulation.

In northwest Indiana, the steel industry provides middle class jobs and economic security. It supplies the products with which a strong economy can be built and a powerful national defense maintained.

China understands the value of steel and a strong manufacturing base and has aggressively acted to support and subsidize its domestic industries. For example, China has acted contrary to international trading standards in order to help their domestic manufacturers by routinely manipulating its currency in order to keep prices low on its finished products.

As an effect, China's steel production has more than doubled since 2003, while U.S. production has dropped by nearly 40 percent. We have also lost a third of our manufacturing jobs as China's manufacturing sector continues to grow, nourished by that country's blatant disregard of international law and the abusive consequences visited on other nations and people, most importantly, those who live and want to work in the United States of America.

For example, it is estimated that China has devalued its currency anywhere between 12 and 50 percent, giving its own exports a government subsidy

and, in effect, taxing American-made imports. This policy has cost the U.S. upwards of 2.5 million manufacturing jobs over the last decade and a staggering annual trade deficit of as much as \$273 billion.

The Chinese have dialogued and dialogued and dialogued for years about allowing their currency to appreciate but have continued the practice of devaluing it. Our Nation is facing a jobs crisis, and we can no longer afford to stand for this destructive policy.

H.R. 639, the Currency Reform for Fair Trade Act, would address the issue of this manipulation by recognizing in law what we already know, that currency misalignment is an export subsidy. The measure would take commonsense steps to ensure our Treasury Department appropriately identifies countries that engage in this unfair policy and allow the United States to place countervailing duties on imports from offending nations.

This act has 230 cosponsors, more than enough to pass the House. In fact, just over a year ago, drawing on support from American labor and manufacturing, the House supported a similar bill. On September 23, 2010, the House approved the Currency Reform for Fair Trade Act by an overwhelming bipartisan vote of 348-79. Unfortunately, the Senate failed to act. More than 260 of the Members who voted in favor of that measure remain in the House. In this Congress, in October, the other body did pass a similar measure by a bipartisan vote of 63-35. It is time for the House to pass this bill.

Those who oppose efforts to punish China for its unfair trade policies insist this measure would start a so-called trade war. We are in a war, a war for jobs, and we are losing. China continues to fight to win jobs while America's Government dawdles. This cannot continue.

According to a report by the Economic Policy Institute, titled, "Unfair China Trade Costs Local Jobs," thanks to our trade imbalance with China, 2.4 million jobs were lost in the United States between 2001 and 2008.

Unfortunately, currency manipulation is far from the only trade-disrupting policy practiced by China. This summer, the New American Foundation convened a task force led by Leo Gerard of the United Steelworkers and Leo Hindrey of New America, and published a report. The report they released further confirms the myriad of activities that China engaged in that undermine our jobs.

China employs a complex and far-reaching set of industrial and mercantile policies. Environmental and labor rules that we take for granted are rare to nonexistent in China. China disregards intellectual property protections such as trademarks, copyrights, and patents and then steals technology from us and other countries around the world at an annual cost of hundreds of billions of dollars. It does this, in part, by shamelessly forcing foreign compa-

nies to divulge intellectual property as a price for market access.

Further, China uses state secret laws to protect commercial interests and is pursuing a policy of indigenous innovation whereby it manufactures and maneuvers to increase the domestic production of high value-added goods.

The House must pass and act on the Chinese currency manipulation bill.

BORDER PATROL AGENT JESUS DIAZ

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, in the dangerous border region between Mexico and Texas, in the year 2008, outlaws from Mexico were caught smuggling marijuana into the United States, and they were caught by the Border Patrol agents.

Border Patrol Agent Jesus Diaz's actions later have resulted in him being sentenced recently to 2 years in a Federal penitentiary. On October 20 of this year, District Judge Ludham sentenced Diaz to 24 months in prison because the agent is alleged to have been too rough in his handling of one of the drug smugglers who was arrested; and, also, Diaz allegedly later lied about the incident to investigators.

Now, what Diaz is accused of is pulling the suspect's handcuffs back and pushing the suspect to the ground while pressing the suspect's back with his knee in order to get him to comply with the Border Patrol agent's orders. Prior to the incident the suspect had illegally crossed into Texas by boat with a large shipment of marijuana, and he was accompanied by a member of the notorious MS-13 gang.

The U.S. Government had a choice to make: Prosecute the illegal drug smuggler or prosecute the Border Patrol agent. The United States Government chose poorly. The Mexican Government demanded that Diaz be prosecuted by our government, and he was.

To top it off, the suspect was told he would not be prosecuted for illegally coming into the United States or for the marijuana he brought into the United States in return for his testimony against Border Patrol Agent Diaz.

Now, Mr. Speaker, I'm not here today to comment on whether or not Jesus Diaz used proper police procedure when he detained the suspect or whether the jury or the judge made a mistake. Those issues will be dealt with on appeal. However, it seems to me that this case should not have been prosecuted as a crime. It should have been dealt with and handled administratively within the U.S. Border Patrol, and the drug smuggler should have been prosecuted.

The U.S. Federal Government had its priorities wrong. The National Border Patrol Council, which represents 17,000 of our Border Patrol agents, our border protectors, they agree. They argue that

a situation like this should have been handled administratively and did not rise to the level of criminal conduct. But millions of taxpayer dollars and thousands of man-hours were expended to obtain a 24-month sentence and a conviction for Diaz, who had already spent 8 months in custody.

There is more. An internal investigation by the Department of Homeland Security's Office of Inspector General and U.S. Immigration and Customs Enforcement Office of Professional Responsibility both cleared Agent Diaz of any wrongdoing in the 2008 incident.

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But Mexico would have none of this and demanded and got its way.

The U.S. Attorney's Office went after Border Patrol agent Jesus Diaz. And his case was tried in the western district of Texas, a jurisdiction that has a history of, in my opinion, unfairly targeting border protectors for prosecution. You remember, this is the same jurisdiction that prosecuted Border Patrol agents Ramos and Compean for allegedly shooting a drug smuggler as he ran away from the agents while they tried to apprehend him. It took a Presidential commutation in 2009 to finally end the persecution of these two agents, and millions of Federal dollars were wasted on this case.

Then there's a similar case where Deputy Sheriff Gilmer Hernandez was prosecuted for firing his weapon at a fleeing vehicle that had tried to run him over. Same jurisdiction.

But the question we must ask ourselves is why the Federal Government is spending time and money to prosecute our Border Patrol agents who put their lives on the line every day down there on the border of the U.S. and Mexico instead of spending time and money and resources to enforce immigration laws in this country.

When ICE Director Morton and Secretary Napolitano from Homeland Security recently testified in front of the Judiciary Committee, they both said they just didn't have the money or the resources to fully enforce immigration laws. They, in essence, in my opinion, granted amnesty or parole to thousands of illegals in the United States. But they have the money to go after Border Patrol agents.

Maybe they should use some of that prosecutorial discretion they're so proud of to prosecute people who cross the border into the United States with drugs over prosecuting Border Patrol agents.

In this case, the United States Government is on the wrong side of the border war. The U.S. Attorney's Office should quit being the voice of Mexico and be the voice of America. We should secure the border and keep the drug smugglers from having their way, and don't give them a get-out-of-jail-free card. It's time to get our money and our priorities straight. Let's stop going