

billion off of spending and then wait and demand for the Senate to pass something, because the Senate just seemed to have trouble passing anything. It's why the President is 50 percent right when he says this is a do-nothing Congress, because the Senate has been doing nothing. They've got our bills piled up down there, led by able leadership here in the House. They're letting them pile up down there. They're not going to pass them. They don't want to create those jobs or it might look good for Republicans who are driving the agenda. So they're just going to let them die down there unless the American public makes it very clear: You either pick up those Republican bills in the Senate and pass them or over 20 Democratic Senators won't be back come January 2013. Maybe that will motivate them.

In the meantime, we should have forced them to pass something. Then it would go to conference, and then a compromise would be worked out. That's how the system was intended to work. Then we could say to our constituents here from the House, where the Republicans have the majority, You see what the House passed. This is what we believe. We passed what we said we would. If you want this to become law as we passed it in the House, you've got to give us the majority in the Senate, and we'll do that.

As it is, all we have is a majority in the House. This is the only place we can pass it. We had to work out a compromise in the conference committee, and that's why we got what we did. But in the meantime, if you want what the House passed before the compromise, give us the Senate next year and you'll get it. That's the way the system was designed to work.

Then it allows the Senate to say, Look, see all these giveaway programs that we passed here in the Senate? We had to drop some of these giveaway programs in the conference committee because, the dadgum fiscally responsible Republicans in the House, they wouldn't go along with all the giveaways, so we had to cut some in conference; but if you want more and more giveaways like we're passing in the Senate, then give us back the majority in the House, and you'll get more and more giveaway programs. That's the way the system is supposed to work.

Then in November next year, the American voters can say either they want a majority in the House to have more giveaway programs like the Senate has passed or they can say we want more fiscal responsibility as we found in the House by virtue of the bills they passed. The problem has been that we have been negotiating with the Senate to see what we think they might pass and then shoot at the target that they say they might pass in the Senate rather than passing what we believe in in the House.

This summer, it is to the Republicans' credit in the House that we passed a bill called Cut, Cap, and Bal-

ance. There were some issues and concerns I had, but overall it was a good bill and it passed. We should have demanded that the Senate pass something that would go to the conference committee with our Cut, Cap, and Balance and that we would work out a compromise from there, but that's not what we did. We turned around and passed a debt ceiling increase that had been negotiated and, basically, was what the Senate said they might be willing to pass, and we got it passed.

My point being, we keep passing bills that really haven't cut spending. With the wave election like we had and with a big group coming in, we couldn't control spending? We couldn't get a majority to pass it in the House to cut \$100 billion in spending? What are the hopes in the future?

The time has come for a balanced budget amendment with a cap on spending. I think that cap on spending is so important to help future Congresses, to help this country last. I think it is so important that I think we can forget about the two-thirds to raise taxes. I think we could forget about some of the other provisions if we just have those two things: one, a balanced budget requirement where outlays do not exceed the receipts and where the receipts don't include borrowed money; number two, a cap on spending. We've seen time and time again we haven't been able to control spending even with the incredibly good Representatives that were added last November.

With regard to the debt ceiling and bringing down the spending, good grief. We added over \$1 trillion. We're spending nearly \$1.5 trillion more than we're bringing in in receipts—and we can't find \$100 billion to cut from that? I mean, good grief. This House this year had agreed to a 5 percent cut in our legislative budgets. We did that to ourselves. Most of America has no idea about that. Then for next year, we're going to have a little over a 6 percent cut in our legislative budget. Most of America has no idea about that either, but we did it.

The only way that's going to really make a difference in the deficit is if we make that demand of every other agency, of every other department, of every other amount of discretionary spending and if we say, Look, we did it to ourselves, that gives us the moral authority to say, You're cutting your budget 5 percent next year and 6 percent the year after that, and we're going to bring this down 11 percent over the next 2 years. Then, voila, we have met the requirement that was put upon the supercommittee.

You see some problems with the so-called supercommittee. There are some great people on there. The people who were put on there from the House and the Senate, the Republicans, they're friends and they're good people. PAT TOOMEY—there's not a more conservative guy anywhere—he was even willing, from the reports, to have a framework that actually raised revenue like

the demand had been made by the Senate Democrats and by the President. Some of us were wincing at it—ooh—but he was willing to do that. It looked like the Democrats were so impressed—gee, this is great. So I'll tell you what. This may be the deal that works. Then they went back and talked to their Democratic leadership, whoever that is, and they came back and said, We can't work out a deal here.

That should have made it pretty clear, when the agreement was made to cut hundreds of billions of dollars from our national security and at the same time cut hundreds of billions of dollars from Medicare, that some people on the other side of the aisle have realized, if we go into next year's election and if the only cuts to Medicare have been the \$500 billion that ObamaCare did last year—that the Democrats rammed through against the will of the Republicans in the House and the Senate and against the people across America—we're going to be toast next November. So, if we could have this failure of the supercommittee and if all this doesn't work out and if all these hundreds of billions are cut from Medicare, then we can tell them the Republicans did it instead of ObamaCare, which AARP thought was a good idea.

□ 1720

They'll forget about that if we have those cuts this year because we blame the Republicans.

Mr. Speaker, may I inquire how much time is left.

The SPEAKER pro tempore (Mr. HUIZENGA of Michigan). The gentleman from Texas has 55 seconds remaining.

Mr. GOHMERT. Let me finish up by saying, we need a cap on spending.

And with respect for the veterans, let me finish with a prayer from George Washington, just a small excerpt since my time is so short. It's Washington's prayer:

Almighty God, we make our earnest prayer that Thou wilt keep the United States in Thy holy protection; and Thou wilt incline the hearts of the citizens to entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large, and particularly for their brethren who have served in the field.

Those are our veterans. I'm a veteran. I didn't serve in combat. But thank God for those willing to make the ultimate sacrifice for our liberties. Now we should not squander it.

With that, I yield back the balance of my time.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 398. An act to amend the Immigration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and for other purposes.

BILLS PRESENTED TO THE
PRESIDENT

Karen L. Haas, Clerk of the House, reports that on November 4, 2011 she presented to the President of the United States, for his approval, the following bills.

H.R. 368. To amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

H.R. 818. To direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 16, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of Rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3838. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Dana T. Atkins, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

3839. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Adam M. Robinson, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

3840. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Eric B. Schoomaker, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3841. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Francis H. Kearney III, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

3842. A letter from the President and Chairman, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Ethiopia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

3843. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's "Major" final rule — Investment Advice — Participants and Beneficiaries (RIN: 1210-AB35) received October 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3844. A letter from the Secretary, Department of Health and Human Services, transmitting the first biennial report concerning the Food Emergency Response Network mandated by the FDA Food Safety Modernization Act (FSMA); to the Committee on Energy and Commerce.

3845. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-19, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3846. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-34, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3847. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 11-39, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

3848. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the 2011 list of U.S. Army Corps of Engineers projects that have been identified as candidates for de-authorization; to the Committee on Transportation and Infrastructure.

3849. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Events: Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District, John H. Kerr Reservoir, Clarksville, VA [Docket No.: USCG-2011-0545] (RIN: 1625-AA08) received October 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3850. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; East Coast Drag Boat Bucksport Blow-out Boat Race, Waccamaw River, Bucksport, SC [Docket No.: USCG-2011-0672] (RIN: 1625-AA00) received October 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3851. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; M/V DAVY CROCKETT, Columbia River [Docket No.: USCG-2010-0939] (RIN: 1625-AA00) received October 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3852. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; TriRock Triathlon, San Diego Bay, San Diego, CA [Docket No.: USCG-2011-0789] (RIN: 1625-AA00) received October 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3853. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ryder Cup Captain's Duel Golf Shot, Chicago River, Chicago, IL [Docket No.: USCG-2011-0847] (RIN: 1625-AA00) received October 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3854. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Head of the Cuyahoga, Cuyahoga River Cleveland, OH [Docket No.: USCG-2011-0825] (RIN: 1625-AA00) received October 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3855. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Deduction for Qualified Film and Television Production Costs [TD 9552] (RIN: 1545-BJ24) received October 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3856. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2012 Cost-of-Living Adjustments to the Internal Revenue Code Tax Tables and Certain Other Tax Items (Rev. Proc. 2011-52) received October 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3857. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — November 2011 (Rev. Rul. 2011-25) received October 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3858. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance Regarding the Treatment of Stock of a Controlled Corporation under Section 355(a)(3)(B) [TD 9548] (RIN: 1545-BH49) received October 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3859. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Eligibility for Exemption from User Fee Requirement for Employee Plans Determination Letter Applications Filed After January 31, 2011 [Notice 2011-86] received October 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3860. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Salvage Discount Factors for 2011 (Rev. Proc. 2011-54) received October 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3861. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Disregarded Entities; Excise Taxes and Employment Taxes [TD 9553] (RIN: 1545-BH90) received October 26, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3862. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Unpaid Loss Discount Factors for 2011 (Rev. Proc. 2011-53) received October 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3863. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting the Privacy Office third quarterly report for fiscal year 2011; to the Committee on Homeland Security.

3864. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting a report entitled, "DHS Privacy Office 2011 Annual Report to Congress"; to the Committee on Homeland Security.

3865. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled: "Implementation of Recovery Auditing at the Centers for Medicare and Medicaid Services"; jointly to the Committees on Energy and Commerce and Ways and Means.

3866. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's budget request for fiscal year 2013, in accordance with Section 7(f) of the Railroad Retirement Act; jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

3867. A letter from the Secretary, Department of Energy, transmitting proposed legislation to restore the Restricted Data (RD) category certain information that has been removed from that category pursuant to section 142 of the Atomic Energy Act of 1954, as amended; jointly to the Committees on Energy and Commerce, Intelligence (Permanent Select), and Armed Services.