

Holden	Miller, George	Schiff
Holt	Moore	Schrader
Honda	Moran	Schwartz
Hoyer	Murphy (CT)	Scott (VA)
Israel	Nadler	Serrano
Jackson Lee	Napolitano	Sewell
(TX)	Neal	Sherman
Johnson (GA)	Oliver	Shuler
Johnson (IL)	Owens	Sires
Johnson, E. B.	Pallone	Slaughter
Kaptur	Pascrell	Smith (WA)
Keating	Pastor (AZ)	Speier
Kildee	Pelosi	Stark
Kind	Perlmutter	Sutton
Kucinich	Peters	Terry
Langevin	Pingree (ME)	Thompson (CA)
Larsen (WA)	Poe (TX)	Tierney
Larson (CT)	Polis	Tonko
Levin	Posey	Towns
Lewis (GA)	Price (NC)	Tsongas
Lipinski	Quigley	Van Hollen
Loeback	Rahall	Velázquez
Lofgren, Zoe	Reyes	Visclosky
Luján	Richardson	Walz (MN)
Lynch	Richmond	Wasserman
Maloney	Ross (AR)	Schultz
Markey	Rothman (NJ)	Waters
Matsui	Roybal-Allard	Watt
McCarthy (NY)	Ruppersberger	Waxman
McCollum	Rush	Webster
McDermott	Ryan (OH)	Welch
McGovern	Sánchez, Linda	Wilson (FL)
McNerney	T.	Woolsey
Meeks	Sanchez, Loretta	Yarmuth
Michaud	Sarbanes	
Miller (NC)	Schakowsky	

□ 1240

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I am pleased to yield to my friend from Virginia (Mr. CANTOR), the majority leader, for the purpose of inquiring of the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business, and the last votes of the week are expected no later than 3 p.m. No votes are expected in the House on Friday.

Mr. Speaker, the House will consider a few bills under suspension of the rules, which will be announced by the close of business tomorrow. The House will also consider H.R. 3309, the Federal Communications Commission Process Reform Act, offered by Congressman GREG WALDEN of Oregon. And for the second year in a row, the House will consider and pass a budget resolution. Mr. Speaker, we also expect to take further action on our Nation's infrastructure, with authority expiring at the end of next week. Finally, I am hopeful that the Senate will clear the House's bipartisan JOBS Act today. This bill has been delayed too long, but I look forward to the President signing it into law.

I thank the gentleman from Maryland, and I yield back.

Mr. HOYER. I thank the gentleman for his information with respect to the legislation that is going to be considered next week.

I would note that he talks about the highway bill, the infrastructure bill that is pending. Obviously, we had expected to consider that bill on the House floor. On our side, at least, our expectation was that it was going to be considered a number of weeks ago. It has not come to the floor here. As I understand it, we are now talking about an extension of some period of time. We are concerned that you rightfully, personally and as a party, made it very clear that certainty was an important aspect of growing our economy. That's a proposition on which I agree. I think you are absolutely right. I think that we need to create certainty and, clearly, we need to create jobs.

I said this morning, Mr. Leader, to the press—and I'm sure you get it as well—that the public says to me: When are you guys going to start working together? When are you going to get something done in a bipartisan way?

The Senate has done that, I will say to my friend. The Senate has done it in an overwhelming fashion. They had

74—it would have been 75, but Mr. LAUTENBERG was absent but was for the bill. So 75 percent of the Senate, three-quarters of the Senate voted for what was a very bipartisan bill. And, as a matter of fact, half the Senate Republicans essentially voted for that bill.

As you know, it had a technical flaw in the bill in that it had revenues which need to be initiated in the House of Representatives. Representative TIM BISHOP of New York has introduced the Senate bill, which has overwhelming support in the United States Senate and, very frankly, in my view, would have at least 218 votes in this House if it were put on the floor.

The Speaker has said in the past that he is committed to letting the House work its will, obviously referring to the open amendments process. But if a bill doesn't come to the floor, we have no opportunity either to amend or to vote. That's been one of our problems, of course, with the jobs bill that the President proposed that we had hoped would have been brought to the floor which has not been to the floor.

But I ask my friend, rather than continue to delay—and both sides have done that on the highway bill—to give that confidence, of which you have spoken and others on your side of the aisle have spoken I think absolutely correctly, in order to give the confidence that we can, in fact, act, that we can work in a bipartisan fashion, I would ask my friend whether or not he, as the majority leader, would be prepared to bring the Bishop bill to the floor, which, again, is the Senate bill, supported by 75 Members of the United States Senate, half of the Republican caucus in the Senate, and which will give some degree of certainty for a highway program which clearly is also a jobs bill and will have an impact on almost 2 million jobs and maybe another million jobs along the way.

We think that's the way that would be good for our country to proceed, and it would send a message—because I think it would get bipartisan support if you brought it to the floor—that it would send a good message to the country that, yes, from time to time, we can work together. And, very frankly, Mr. Leader, if we did that, it would be consistent with every transportation bill that we have passed since 1956 under Dwight Eisenhower, where we worked together in a bipartisan fashion. This is the first time that I have experienced a partisan divide—I mean, people have had differences of opinion, but a partisan divide on the highway bill.

As you know, Senator BOXER and Senator INHOFE came together to agree. I think that's a pretty broad ideological spectrum of the United States Senate. They came together, they agreed, and they led the effort to pass that bipartisan bill.

I would very much hope that, Mr. Majority Leader, that you could bring that bill to the floor and see whether or not, in fact, it could pass. I think that would be good for the country.

ANSWERED "PRESENT"—4

Broun (GA)	Sensenbrenner
King (IA)	Woodall

NOT VOTING—23

Ackerman	Davis (IL)	Manzullo
Austria	Duffy	Marchant
Bachus	Gonzalez	Marino
Bishop (UT)	Gutierrez	McIntyre
Bono Mack	Jackson (IL)	Paul
Brown (FL)	Kinzinger (IL)	Rangel
Castor (FL)	Lee (CA)	Thompson (MS)
Chaffetz	Lowey	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1236

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DUFFY. Mr. Speaker, on rollcall No. 126, I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 122–126. Had I been present, I would have voted "no" on No. 122, "yes" on No. 123, "no" on No. 124, "yes" on No. 125, and "no" on No. 126.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

And I yield to my friend for his comments.

Mr. CANTOR. I thank the gentleman.

And I would respond by saying to him that, no, I'm not prepared to bring that bill to the floor because I differ with him in his assumption that there would be enough bipartisan support to pass that bill in the House. And from all that I know about what's in the Senate bill, there is a lot of disagreement over how that bill was constructed, as far as House Members are concerned.

I would say to the gentleman, our plan is very clear. We have been outspoken on this. We do not want to disrupt the flow of Federal transportation dollars, which is why we will be bringing to the floor next week a bill to provide for an extension of 90 days so that perhaps, as the gentleman would like, as would I, we could come together as two bodies and two parties on an agreement to provide more certainty.

But as to the gentleman's suggestion that we need to be doing this to be consistent with what has been done historically, I would say to the gentleman, he knows, as well as I, that we are in very, very difficult economic times. We have never faced the kind of problems that we face today as a country, from a fiscal standpoint. Unfortunately, transportation funding is no different. We're just out of money. So we're trying to take the approach that most American families and businesses would take, that is, to try to spend within our means, to come up with some innovative ways to look at transportation needs and demands in the future and our being able to meet them, and we look forward to working with the gentleman in a bipartisan fashion to try to effect that end.

Mr. HOYER. I thank the gentleman for his comments. But I will say again to the gentleman, we've been down this path before. We've been down this path before where the Senate was able to reach a bipartisan agreement on legislation very important to jobs, to the economy, and to the confidence of America.

□ 1250

That bipartisan piece of legislation would have enjoyed the support, I think, of certainly the overwhelming majority, almost the unanimous support on our side on a bipartisan agreement. I don't mean a Democratic proposal from the Senate, but a bipartisan agreement that came from the Senate. That dealt, of course, with payroll taxes and extending those, and ultimately we did that. We took that bill.

But I would say to my friend that the Speaker indicated he wanted a bill on this floor. I've been asking you for approximately a month now if it was going to come to the floor. That bill hasn't come to the floor. We all know it hasn't come to the floor because there's very substantial disagreement within your party about that bill. The papers report that. Everybody talks about it. We understand that.

I say to my friend that he and I do have a disagreement. I think it would enjoy bipartisan support on this floor if you brought the Bishop bill, the Senate bipartisan bill, to the floor. But the only way we're really going to be able to find that out—it's not by me saying, I think it would and you saying, I think it wouldn't. There's a very easy way to see whether it would, and that is to bring it to the floor next week.

I don't think there is anybody, hopefully, that wants to disrupt and have literally hundreds of thousands of people thrown out of work or not have opportunities for work. We know the construction trades in particular have been very badly hit by the lack of construction that's going on.

You can have your opinion and I can have my opinion, but there is a way to determine whether or not, in fact, we can get bipartisan agreement; and that is, as I said, and as the Speaker has indicated, let the House work its will. The only way the House can work its will—having been majority leader—is for the majority leader to bring the legislation to the floor for a vote. Then you may be right, I may be right, but we will know and it won't have to be speculation. We will know.

If I'm right and we do pass that bill, then next week, before March 31, before the expiration of the current highway authorization, we can send a bill to the President of the United States, and he will sign the Senate bill. We don't know that he will sign a bill that's still languishing in your committee because we haven't seen the final parameters of that bill because it is obviously pretty controversial on your side of the aisle.

Again, if you want certainty, we have an opportunity for certainty. We have an opportunity with a bipartisan bill that the Senate has passed. I don't know why we're rejecting that bipartisanship. The gentleman says, well, this is a unique economic time. He's right. It seems to me that's a greater argument for trying to embrace a bipartisan agreement and move forward with giving certainty to the construction industry, to States, to municipalities, and to counties on what is going to be available to them to plan and to pursue infrastructure projects critical to commerce and to their communities.

I regret that the gentleman has indicated that's not an option that he will consider, but a short-term extension seems to be the continuation of uncertainty, not the allaying of uncertainty. I don't know whether the gentleman wants to make another comment on that or not.

Mr. CANTOR. Mr. Speaker, I would just say to the gentleman, I guess we are going to agree to disagree. We're dealing with the reality that we don't have the money, and we're trying to fashion a path forward that both sides can agree upon.

Obviously, we cannot agree upon that next week with all the differences that still exist, which is why we're creating

the construct of a 90-day extension, which then gives us the possibility to get into conference with the Senate to try and produce a longer-term transportation funding bill.

Mr. HOYER. Well, I won't pursue it any further, Mr. Leader, but you've been unable to get agreement within your party on this side of the Capitol for well over a month. I hope you can get there. I would hope you would get there in a bipartisan fashion so that Mr. RAHALL and Mr. MICA could agree on a bill, which has been my experience in the 31 years I've been here. It's not my experience this year. That hasn't happened. But almost invariably—and I think for the years you've been here, you've experienced that as well.

Let me ask you now with respect to the budget. Do you expect the budget to come to the floor? You indicated that. If so, would that be Wednesday?

Mr. CANTOR. Mr. Speaker, the gentleman is correct. We will be beginning debate on the budget Wednesday and likely concluding that debate and vote on Thursday.

Mr. HOYER. Normally, as you know, we've had alternatives made in order. We, of course, want to make in order an amendment which will guarantee that Medicare will be available to our seniors and that we will not decimate Medicaid, which we think is appropriate for our seniors. We also want to make sure that we have revenues that can sustain health care for seniors, education for kids, help for our communities.

Will the gentleman be able to tell me whether or not, in fact, alternatives will be made in order by the Rules Committee that would be offered either by the minority ranking member of the committee and/or others as historically has been the case?

Mr. CANTOR. Mr. Speaker, I would say to the gentleman, yes, we expect that to be the case. Obviously, I disagree with his characterization of our budget. We are, in fact, saving the Medicare program in a bipartisan fashion.

Mr. HOYER. Was there a bipartisan vote in the committee on that? I thought it was a totally partisan vote in the committee. Was I incorrect?

Mr. CANTOR. Mr. Speaker, I would say to the gentleman that the gentleman knows very well what I refer to, that the disproportionate cause of our deficit has to do with health care entitlements. And actually, as the gentleman knows, last year and this year we are proposing a solution, a plan, that does not resolve the issue overnight, but it puts us on a path towards balancing the budget.

This year, our budget chairman has worked together with the Senator from Oregon on the gentleman's side of the aisle in the Senate to propose a solution that responds to some of the complaints about the path that was taken

before. Again, it is a bipartisan solution. It is a plan to save Medicare. Unlike the gentleman's party or his President, we are actually proposing a solution to the problem and saving the program for this generation and the next.

Again, I'm sure the gentleman disagrees with my characterization and I with his. But to answer his question, to get back on track as far as the schedule and the fashion in which these bills are going to be brought to the floor, yes, consistent with precedent, we will be allowing full substitutes to be offered on both sides of the aisle.

Mr. HOYER. I thank the gentleman for his comment.

The last thing I would ask the gentleman: Am I correct that the agreement that was reached between our parties, which led to the passage of the Budget Control Act in a bipartisan fashion, does not reflect the substance of that agreement as it relates to the discretionary spending number for fiscal year 2013? Senator McCONNELL is quoted, as you know, as saying that that was an agreement that was reached and that he expected it to be pursued.

I want to make it clear that he was not referring to the action of the Budget Committee, but he was referring to the agreement on the discretionary number.

Am I correct that the agreement that was reached, in order to get a bipartisan vote on the Budget Control Act, which we passed, which made sure that this country did not default on its debts for the first time in history, am I correct that that number is not the number that is reflected in the budget?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I respond to the gentleman by saying it is our view that the agreement reached in August at the top line was that, a cap. We all know we've got to do something about spending in this country, and the top line, or 302(a), within our budget resolution will reflect that top line provided in the budget resolution for the second year of the budget that we posed last year.

□ 1300

Again, we view it very much that we need to continue to try—at least try—to save taxpayer dollars when we are generating over \$1 trillion of deficits every year, and I think the taxpayers expect no less.

Mr. HOYER. I thank the gentleman for his comments, but I will tell the gentleman that if we're going to have negotiations, and we have one number and you have another number, and we agree on a number, and then we pass a bill which reflects that number, put it in law—it doesn't say it's a cap; it says that will be the number. As we pass the budget, we said that will be the number. Now this is the law. And as was observed by others on the other side of the Capitol, but I will observe it here as well, if we're going to have those kinds of negotiations, it's sort of like

the guy who comes up to you and says, look, I've got something to sell you, do you want to buy it? And you say, yes, let's negotiate on price. And you come to a price of \$100. And then you come to settle, and the guy says, well, that was my top number. I'm going to give you \$92 for that item. You don't have a meeting of the minds as a contract requires.

Very frankly, nobody on our side, and frankly I don't think anybody on your side that negotiated the deal—I don't mean that didn't vote for it—and as a matter of fact, I know for a fact the Speaker, and I believe yourself, have been quoted that that was the number and we ought to stick with it. Clearly, Mr. ROGERS believes that's the number that was agreed to.

Now, we're not going to be able to agree on things if all of a sudden it becomes, well, that was a notional thing that we did, not an agreement. A lot of our people voted on that to make sure, A, we didn't go into default as a country, and, B, that was not the number we wanted. It clearly was not the number your side wanted. But it was a number we agreed upon. And it seems to me that if we're going to try to keep faith with one another and with the law that we passed that we should stick with what we agreed to.

I understand that we want to bring the budget deficit down. As a matter of fact, on this side of the aisle, I've made those comments, and I've been criticized by some on my side, as you well know. Yes, we do need to get a handle on the budget. We're going to have a real debate on the deficit and debt, and I've been working very hard on that. We're going to have a debate, a fulsome debate, hopefully, on whether or not your budget does that. We've had disagreements all the years I've been here on that, and performance has not reflected, from my standpoint, that the representations made have always worked out, perhaps on either side.

But I regret, I regret deeply, Mr. Majority Leader, that we've reached an agreement, and based upon that agreement, this House took an action, it took a bipartisan action, and it passed a piece of legislation that was critically important to make sure that America did not go into default. And now we see 7 months later, crossed fingers, well, we really didn't mean that, it was a cap. Nobody on our side—there was no mention in the law nor was there any mention in the negotiations that that was a cap, not a number.

Unless the gentleman wants to say something further, I yield to my friend.

Mr. CANTOR. Mr. Speaker, I'd just say to the gentleman this is somewhat of an academic discussion given that the Senate is not going to pass a budget. And I remind the gentleman, again, it takes two Houses to go and reconcile a budget, and it takes two Houses and two parties to actually go forward. So we look forward to working with the gentleman. I told him it is our belief that we need to respond to the urgency

of the fiscal crisis and do everything we can to bring down the level of spending in this town. I look forward to working with the gentleman towards that end.

Mr. HOYER. I look forward to next week debating how we bring that deficit down, and I yield back the balance of my time.

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#### ADJOURNMENT TO MONDAY, MARCH 27, 2012

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. GRIMM). Is there objection to the request of the gentleman from Virginia?

There was no objection.

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#### REPEAL IPAB

(Mrs. BIGGERT asked and was given permission to address the House for 1 minute.)

Mrs. BIGGERT. Mr. Speaker, I support H.R. 5, the legislation to repeal the Independent Payment Advisory Board, or IPAB. As we've heard, this unelected board of 15 was created under the administration's health overhaul to take critical decisions on Medicare spending and hide them under a bureaucratic veil. As a result, it has the power to step between seniors and their doctors with no accountability.

Even Medicare's Chief Actuary indicated that the payment reductions required of IPAB are unrealistic and could drive doctors out of Medicare and limit seniors' access to care. That's hardly an answer to rising costs.

Today's legislation repeals IPAB and reduces costs through bipartisan medical liability reform. This common-sense reform curbs junk lawsuits and stops forcing doctors to practice costly, defensive medicine. This important bill eliminates IPAB and protects health care for America's seniors. I'm really glad that it has passed this House, and I hope that the Senate will take it up.

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#### JUSTICE FOR TRAYVON MARTIN

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, yesterday I promised that every day I would come to the floor of this House and announce to America just how long justice for Trayvon Martin has been delayed. As of today, Trayvon Martin was murdered 26 days ago, and still there has been no arrest. There has been no arrest, and everyone is suffering. His parents are suffering, his classmates are suffering, and his whole Miami community is suffering.

A psychologist once described to me what it feels like to lose a child. She