

Bless the Members of this assembly as they set upon the important work that faces them. Help them to make wise decisions in a good manner and to carry their responsibilities steadily with high hopes for a better future for our great Nation.

May they be empowered by what they have heard during their home district visits to work together. May they realize that each of them represents voters who side with their opponents, and that there are millions of Americans who voted for their opponents as well. The work to be done must benefit all Americans. Give them courage to make difficult choices when they are faced with them.

May Your blessing, O God, be with them and with us all this day and every day to come, and may all we do be done for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

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

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### STOCK ACT

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

Mr. POE of Texas. Madam Speaker, the STOCK Act will prohibit Members of Congress and Federal employees from using nonpublic information for their own personal profit and help prevent insider trading.

Representative TIMOTHY WALZ of Minnesota has introduced this legislation in the House. The Senate has already voted to move forward on the STOCK Act.

I join a bipartisan group of 217 Members in supporting this legislation. Several media reports have indicated that insider trading is a problem in the Halls of Congress.

Madam Speaker, we work for the American people and cannot lose their trust. The STOCK Act or similar legislation is needed because it brings more transparency and oversight.

Insider trading, any way you look at it, is not only illegal in the United States, but it is corrupt and morally wrong. In Washington and in Congress, things must not only be right; they must look right.

And that's just the way it is.

### COMMENDING PRESIDENT BARACK OBAMA'S LEADERSHIP IN SUPPORTING WORKING AMERICANS

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

Mr. FALEOMAVAEGA. Madam Speaker, as required by our Constitution, last week President Obama addressed our Nation in his annual State of the Union message before a joint session of Congress. President Obama outlined his blueprint for an America Built to Last, a plan that begins with American manufacturing.

President Obama noted in his address that the American auto industry is back. The President's decision to provide emergency loans to the auto industry saved more than 1.4 million American jobs. This decision by President Obama also prevented personal income losses over 2 years of more than \$96 billion and helped make the Big Three automakers—Chrysler, General Motors, and Ford—all profitable for the first time in years.

After taking office, President Obama signed the Recovery Act to get our Nation back to work. As a result, the U.S. has seen 22 consecutive months of private sector job growth, adding more than 3.2 million jobs. Last year we added the most private sector jobs since 2005.

Madam Speaker, I commend President Obama for his vision and leadership. I commend his bold actions and, most of all, his commitment to serving our Nation in these difficult times.

### BEYOND THE AFFORDABLE CARE ACT

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

Mr. BURGESS. Madam Speaker, this year the Supreme Court agreed to hear and issue a decision on the Affordable Care Act. Of course, I'm eager to see what happens, and I'll be following the case very carefully, as will millions of Americans. But important steps will need to be taken depending upon how the Court rules. Right now, we do not know if the Court will rule solely on the individual mandate or say that the entire law is unconstitutional. Either way, this House must be prepared.

Now, House conservatives have been working for at least the past 3 years, well before the Affordable Care Act was even passed, to craft policies that focused on patients instead of payments, that focused on quality instead of quantity, innovation instead of stagnation, and affordability as opposed to just being cheap.

I'm fully committed to continuing this work and producing alternative legislation that will benefit the American people without putting an undue burden on the economy.

The Congressional Health Care Caucus discussed this issue today at a

briefing. James Capretta and Thomas Miller discussed and shared ways on which we can prepare in the coming months with specific policy ideas. Although no one has a clear idea of how the Court will rule, we do know that we need to work together to consider ideas and craft policies to take care of the American people when their decision is rendered.

### DUCKS UNLIMITED

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Madam Speaker, it is so true that "to whom much is given, much is required," especially when it comes to ensuring the blessings of creation for our children and grandchildren. Seventy-five years ago, a group of concerned citizens came together to offer their time, talents, and treasures to protect waterfowl populations and preserve wetland habitats.

Ducks Unlimited has a purposed beginning. During the 1937 Dust Bowl, drought-plagued waterfowl populations were at unprecedented lows. Recognizing the waterfowl were dangerously near to unrecoverable populations, a small group of sportsmen organized themselves and got to work.

Over the past 75 years, the members of Ducks Unlimited have worked to conserve, restore, and manage habitats essential to the well-being of our continent's waterfowl populations. Through public-private partnerships and the hard work of Ducks Unlimited volunteers throughout the country, more than 12 million acres across North America have been preserved.

Madam Speaker, it never ceases to amaze me how the citizenry, bound together by common dedication, determination, and focus, and not by government fiat, can change the world. Ducks Unlimited has spent the last 75 years improving water quality, mitigating the effects of floods, safeguarding and expanding recreational opportunities. They are to be commended for their 75 years.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 31, 2012.

Hon. JOHN A. BOEHNER,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 31, 2012 at 10 a.m.:

That the Senate passed S. 1236.

That the Senate agreed to S. Con. Res. 34.  
With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### APPOINTMENT OF CONFEREES ON H.R. 658, FAA REAUTHORIZATION AND REFORM ACT OF 2011

Mr. CRAVAACK. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota? The Chair hears none and, without objection, appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. Mica, Petri, Duncan of Tennessee, Graves of Missouri, Shuster, Mrs. Schmidt, Messrs. Cravaack, Rahall, DeFazio, Costello, Boswell, and Carnahan.

From the Committee on Science, Space, and Technology, for consideration of secs. 102, 105, 201, 202, 204, 208, 209, 212, 220, 321, 324, 326, 812, title X and title XIII of the House bill and secs. 102, 103, 106, 216, 301, 302, 309, 320, 327, title VI, and sec. 732 of the Senate amendment, and modifications committed to conference:

Messrs. Hall, Palazzo, and Ms. Eddie Bernice Johnson of Texas.

From the Committee on Ways and Means, for consideration of title XI of the House bill and titles VII and XI of the Senate amendment, and modifications committed to conference:

Messrs. Camp, Tiberi and Levin.

There was no objection.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1715

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 5:15 p.m.

#### PROVIDING FOR CONSIDERATION OF H.R. 1173, FISCAL RESPONSIBILITY AND RETIREMENT ACT OF 2011

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 522 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 522

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1173) to repeal the CLASS program. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce and 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated January 31, 2012, or earlier and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

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

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend, the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time is yielded for the purpose of debate only.

#### GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. House Resolution 522 provides a modified open rule for consideration of H.R. 1173. This rule allows for any amendment prefiled in the CONGRESSIONAL RECORD which complies with the rules of the House to be made in order. That's pretty simple.

Mr. Speaker, I rise today in support of this rule and the underlying bill,

H.R. 1173, the Fiscal Responsibility and Retirement Security Act of 2011, which was introduced on March 17, 2011, by the gentleman, my dear friend from Louisiana, Congressman CHARLES BOUSTANY, and was reported by the Committee on Energy and Commerce by a vote of 33-17 on November 29, 2011.

□ 1720

Additionally, the bill was reported by the Committee on Ways and Means on January 18, 2012, by a vote of 23-13.

This legislation has been through regular order. Members from both sides of the aisle on several committees have had opportunities to submit perfecting ideas, and those amendments have been considered. With the modified open process brought forward by the Rules Committee, every preprinted amendment will be given full and fair consideration by this body.

Mr. Speaker, the Community Living Assistance Services and Supports Act, also known as the CLASS Act, was a budgetary gimmick introduced by congressional Democrats in the ObamaCare bill to fit a 10-year budget score, not to provide reliable insurance coverage. This is why we are here today. Built on an unstable foundation, this long-term health insurance system was broken from its inception, and yet was used to sell ObamaCare to those who did not fully comprehend its future implications.

Let's review the facts of this case. The CLASS Act establishes a long-term health coverage program that would be operated by the Federal Government. The program is a guaranteed issue, meaning no one can be turned away. The program provides subsidized premiums to those under the age of 22 and to those below the poverty line. Finally, it can use no government funding. If that isn't a recipe for failure, I'm not sure how else you would design the program. Giving reduced premiums to some and mandatory coverage to all necessarily drives up the monthly premium. The Department of Health and Human Services indicated that the plans, as designed, would cost \$235 and \$391 a month and could rise to as much as \$3,000 a month for those in the program. Anyone who is healthy and above the poverty line would most certainly turn to the private sector, leaving the program woefully underfunded. These are the facts. The program is not viable and is not sustainable.

In reference to the program, the Secretary of Health and Human Services, Secretary Sebelius, finally agreed on October 14, saying, "I do not see a viable path forward at this time." It makes you wonder what other sections of ObamaCare might not be fiscally sound, given a closer review as well. Oh, by the way, this Republican Congress is doing that right now, in committee, under regular order. Apparently, however, we had to pass the bill to find out about the CLASS Act and what was in it and how it might work.