

Markey	Rush	Stark
McGovern	Sánchez, Linda	Waters
Nadler	T.	Wilson (FL)
Oliver	Schakowsky	Woolsey
Payne	Scott (VA)	

## NOT VOTING—10

Carson (IN)	Hinchey	Moore
Dicks	Mack	Paul
Filner	McMorris	Roybal-Allard
Herger	Rodgers	

□ 1920

Mr. PAYNE changed his vote from "yea" to "nay."

Ms. BERKLEY changed her vote from "nay" to "yea."

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 20, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "nay."

## PERSONAL EXPLANATION

Mr. CARSON of Indiana. Mr. Speaker, on February 1, 2012, I missed rollcall votes 13, 14, 15, 16, 17, 18, 19, and 20 because of district business. Had I been present, I would have voted "yes" on rollcall 13, "yes" on rollcall 14, "yes" on rollcall 15, "yes" on rollcall 16, "yes" on rollcall 17, "no" on rollcall 18, "yes" on rollcall 19, and "yes" on rollcall 20.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3784

Ms. FUDGE. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor to H.R. 3784.

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

There was no objection.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 658, FAA MODERNIZATION AND REFORM ACT OF 2012

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112-382) on the resolution (H. Res. 533) providing for consideration of the conference report to accompany 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, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3578, BASELINE REFORM ACT OF 2011, AND PROVIDING FOR CONSIDERATION OF H.R. 3582, PRO-GROWTH BUDGETING ACT OF 2011

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 112-383) on the resolution (H. Res. 534) providing for consideration of the bill (H.R. 3578) to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline, and providing for consideration of the bill (H.R. 3582) to amend the Congressional Budget Act of 1974 to provide for macroeconomic analysis of the impact of legislation, which was referred to the House Calendar and ordered to be printed.

## MOTION TO INSTRUCT CONFEREES ON H.R. 3630, TEMPORARY PAYROLL TAX CUT CONTINUATION ACT OF 2011

Mr. MICHAUD. Mr. Speaker, I have a motion to instruct conferees at the desk.

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

The Clerk read as follows:

Mr. Michaud moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3630 be instructed to recede from section 2123 of the House bill, relating to allowing a waiver of requirements under section 3304(a)(4) of the Internal Revenue Code of 1986, including a requirement that all money withdrawn from the unemployment fund of the State shall be used solely in the payment of unemployment compensation.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Maine (Mr. MICHAUD) and the gentleman from Texas (Mr. BRADY) each will control 30 minutes.

The Chair recognizes the gentleman from Maine.

Mr. MICHAUD. Mr. Speaker, at this time, I would like to yield 4 minutes to the gentlelady from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank my esteemed colleague, Congressman MIKE MICHAUD of Maine, for allowing me this time to join him and to rise in support of his motion to instruct conferees on a payroll tax cut extension bill that strikes a section that undermines the normal procedures of unemployment compensation to people who are out of work as it diverts those funds to other purposes.

Here we have the hardest of hearts that exist in this House, the majority on the other side of the aisle, who allowed the market to crash in 2008, putting millions of people out of work and then throwing millions more out of their homes and turning a cold eye toward them. And then proposed to cut heating assistance to those who are struggling across this country, and then a majority on the other side voting to not extend unemployment bene-

fits to the victims. I didn't see any enthusiasm over there for prosecuting the big banks on Wall Street and those who had committed the fraud that got us into this mess in the first place. No, they want to cut it out of the hearts of the victims.

Now, the House Republican proposal in H.R. 3630 would allow States to apply for waivers to bypass basic protections and standards that now apply to the permanent unemployment extension program. States already have ample flexibility to determine eligibility for unemployment insurance benefits and to set the amount of those benefits, but they must now operate under a basic set of rules. For example, States are required to spend unemployment insurance funds solely on unemployment benefits. They must pay benefits when due, and they may not condition eligibility on issues beyond the fact and cause a person's unemployment. The Republican bill would circumvent these basic protections.

Under the proposed waiver policy, States could divert unemployment funds to other purposes, which seems particularly ill-timed when over half of the States' unemployment trust funds are insolvent because there's so many people still out of work. This diversion policy could lead to jobless individuals being denied weekly unemployment benefits and instead being offered less useful benefits. Furthermore, a waiver could allow new requirements to be imposed on unemployment insurance recipients, including a requirement that they perform a community service job to be eligible for benefits.

Unemployment insurance is an earned benefit for people who have worked hard. It's insurance. Effectively they have paid into those insurance funds and have lost their jobs through no fault of their own. These individuals must actively search for work to be eligible. I have people in my district that have sent out 400 resumes, knocked on hundreds and hundreds of doors. They want to work. And many receive services through the Federally funded one-stop employment centers. Regrettably, House Republicans that have consistently targeted this system for steep cuts in services at a time when they are needed most again have a proposal here.

You know, I really wonder why they don't focus as much attention on prosecution of the Wall Street perpetrators who got us into this mess in the first place. I think you've got the telescope turned around in the wrong direction. You ought to be caring for those who have an ethic of work and who have earned these benefits. And we need to recoup money to balance the budget and to meet our societal needs by making sure that prosecution occurs for those who took the Republic to the cleaners and are still fat and happy sitting in the same chairs that they were in back in 2008 up there on Wall Street.

So I would say to the gentleman I rise in strong support of your effort to

instruct the conferees and to protect the earned benefits of those in our society who build this country forward through thick and thin no matter what. They have earned the right to their unemployment benefits.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

I think there is bipartisan agreement—Republicans and Democrats—on extending unemployment benefits for a full year.

Clearly, we're in tough economic times. But here we are 2½ years after the recession officially ended, and yet we have 27 million people who can't find a full-time job. We have a lower unemployment rate principally because so many Americans have simply given up looking for work. What we know is the current unemployment system is not working.

I think we can all agree that an unemployment check is no substitute for a paycheck. We know the longer a person stays unemployed, the harder it is for them to get back in the workforce. Most studies show that after 2 years, the chances of you getting back in the workforce becomes very, very slim, yet the government today subsidizes that unemployment for almost that full 2 years.

There's agreement that the sooner we get people back to work the better it is for them, and the better it is for our economy. But what the Federal Government is doing today, it isn't working. We have a system from the 1930s. We need an unemployment system for the 21st century, for today's economy. Commonsense reforms are in order, but the Democrat motion to instruct that we just heard about destroys those reforms to put people back to work.

Under the House bill, we allow States, those who know the economies better, who know their workers best, to put together innovative programs to get people off unemployment and back into the workforce where they belong. Under the House bill, for example, we require workers to actually look aggressively for a job. You would think that's common sense, but under Federal law today a person can go 1½ years receiving unemployment benefits and not be looking for a job. In some States, you don't have to look for a job at all. Well, that's not acceptable. And those without a GED or a high school diploma, those whose chances of getting a job are the slimmest, those who are laid off first and hired last, they struggle. But under the House bill, we allow States to put together the programs that actually get those workers that education.

□ 1930

For example, if you're 40 years old and don't have a GED, the truth of the matter is you still have a quarter of a century left in the workforce. We want to help you get that education, to be a better applicant, to get a better job, to

have a brighter future. But this bill denies States the ability to help get that education for their workers.

We give States the ability to tailor job training programs to get people, again, back to work. This is what the President talked about when he cited Georgia Works and other issues on job creation. The Democrat motion stops States who know their local economies best from putting, again, these job trainings in place for their workers.

And finally, in the House bill, we recognize and believe it's time to stop subsidizing drug use through Federal benefits. Now, I wonder how many people this morning went to work in the dark; how many single moms struggled to get their kids to school before they went to work; how many people are driving home right now, are going to miss their kid's practice, they were at work; how many told their Boy Scout they couldn't be at the campout this weekend because they had to work on Saturday; how many people working one, two, three jobs that Washington takes money from their paycheck to help people who are unemployed.

And all the House bill does is to ensure that States are allowed to help people get that education, get that job training, end subsidizing drug use, so they're better applicants with a brighter future. We don't require States to do this. We allow States to have waivers, to be innovative to do that.

At the end of the day, the truth of the matter is we have so many companies who tell us they want to hire good workers with good salaries, but these workers can't pass even a basic drug test. Look, if you've got a casual drug habit or a more serious problem, finance it on your own. You're not going to take tax dollars from your neighbor who's working one or two or three jobs to finance your drug habit. In fact, your future is dimmed because of it. And if States decide not to implement a drug screening program, it's their decision; it's not Washington's.

The Democrat motion makes sense only if you work in Washington and think the current status quo is working. It is not. So I respectfully oppose the motion, support the proposed waiver authority, as well as its other provisions.

I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I want to thank the gentleman from Maine for his ever-present leadership on the issue of unemployment insurance and also for fighting for jobs for Americans, because we're really here looking at two problems. One is the problem of making sure that those who are on unemployment are going to get benefits so they can survive, and the other one is the massive unemployment that we have in America. I mean, obviously, these matters are interrelated.

Let me speak first to Mr. MICHAUD's motion to instruct conferees.

This provision to remove Section 2123 from H.R. 3610, this section severely undermines the unemployment insurance system that nearly 8 million Americans rely on. It allows States to apply for waivers that would change how unemployment insurance funds are allocated, and it does this under the guise of strengthening reemployment programs. In reality, these proposed waivers would allow States to use unemployment insurance funds for purposes other than paying out benefits.

Think about this. If people are on unemployment insurance, they need those benefits. They need full benefits. You don't want the State to find an excuse to siphon those benefits to some other purpose. And by allowing the use of unemployment insurance funds for purposes other than providing unemployment benefits to those who rely on them, we would be weakening a system that has provided assistance to unemployed Americans for decades.

The rationale for the reallocation is deceptively camouflaged. It's being described as fulfilling additional benefits to the unemployed, such as bolstering job training programs and reemployment programs. Yet, in reality, diverting funds from the unemployment insurance fund to other equally important programs is not a viable solution and will, ultimately, undermine the unemployment insurance system that millions rely on.

The truth of this matter is that this Congress has been shirking its responsibility to independently and to adequately fund these programs.

Section 2123 of this legislation also gives the States the ability to create their own eligibility requirements, which could impede otherwise eligible recipients from collecting their benefits. The waivers permitted under Section 2123 would give States the opportunity to impose new eligibility requirements on unemployment insurance recipients that are unrelated to their employment history and current unemployment status. This includes giving the States the right to require a high school diploma or GED as a prerequisite for receiving unemployment benefits.

Now, think about that. You have so many people who, because of family situations, have not been able to finish high school, and they're working to support their families. They get laid off, and then they're told, Well, wait a minute. Because you don't have a high school diploma, you can't get any benefits. This is a double punishment for people.

What we should be doing is enabling people who are unemployed to be able to get a college education paid for while they're unemployed, so that when they're graduated or better educated, that when they come back into the workforce they can help make a greater contribution to our country.

Frivolous requirements like giving States the right to require a high

school diploma or GED as a prerequisite for receiving unemployment benefits will do nothing but prevent benefits from reaching those who need them the most.

In my home State of Ohio, the unemployment rate is still above 8 percent. Just last week, more than 20,000 Ohioans were on the brink of losing their extended benefits. The men and women of this country should not have the added stress of monitoring the government's attempt to deny or delay their unemployment benefits. We have to protect the integrity of the unemployment insurance program and those that rely it.

And while we're at it, we also have to start thinking about creating jobs in this country. We have at least 13 million people who are unemployed and another 6 million who are underemployed. It's time we got America back to work, then we wouldn't be having this debate about unemployment insurance.

While people are unemployed, they should get the benefits, and they should be full benefits. But we should also be creating jobs, and that's not what we're doing. We need new mechanisms to create jobs. We shouldn't tell people, Well, the government doesn't have any money.

Well, we're borrowing money from China, South Korea, and Japan. Why don't we start—spend the money into circulation. Look at what the Federal Reserve does. The Federal Reserve creates money out of nothing, gives it to banks. The banks park the money at the Fed. They gain interest. Our businesses are starved for lack of capital.

What if we, the government, took back the constitutional right that we have under article I, section 8, to spend or create money, coin money, spend it into circulation, create millions of jobs, put our country back to work, rebuild our infrastructure? More money for education, more money for health care.

America's best days are ahead of it if we start to think about the mechanisms we have to create jobs in this country. In the meantime, we sure better protect those people who are unemployed.

The mechanism I talked about, it's called the NEED Act, National Employment Emergency Defense Act. We have a means of getting people back to work. In the meantime, if they're not working, let's make sure we don't curtail their unemployment benefits.

Support the Michaud amendment.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. WALDEN), one of the leaders of getting this economy and America back on track and people back into good-paying jobs.

Mr. WALDEN. Mr. Speaker, let me make a couple of points about this motion to instruct, which I oppose.

Section 2123, which is the issue here, allows up to 10 States per year to apply for waivers to test innovative ideas to

help people get a job, to help people get back to work, so it's only up to 10 States. And waiver programs would have to be cost neutral, rigorously evaluated, and then we could understand the policies.

Look, I think the folks at home in my great State of Oregon are just as compassionate, if not more so, than what happens here in Washington. I think they can be creative, too, in helping.

And, in fact, in 2011, Oregon launched its version under a waiver of the National Career Readiness Certificate program. Now, what that did was certify 10,760 work-ready individuals in the State that they have the appropriate math, reading, and other skills necessary to get back and contribute to the workforce.

□ 1940

Now, that hiring tool brought nearly 400 businesses, communities, and workers together and then simplified the job-search hiring process. These are the kinds of innovative ideas that we could use to actually help people get a job.

This is a horrible economy. We've had 11 recessions since World War II. This is the worst one in terms of coming out of it. So the policies that have been in place the last couple of years haven't work.

The American people were promised if we spent a trillion dollars we don't have, including interest on the stimulus, unemployment wouldn't go above 8 percent; and yet here we are, record unemployment, record deficits. Trillion-dollar year after year after year deficits under the Obama administration, and people still out of work, highest poverty level since the great anti-poverty campaigns began. This has to change. We have to get people back to work.

One of the issues that we're going to deal with in the conference committee, I hope, you want to do something about jobs, then let's stop this Boiler MACT rule from going into place. The EPA Boiler MACT rule threatens to cripple American manufacturers. We've lost more jobs there since back to, I think, World War II; and this rule by EPA would cut another 200,000 jobs.

So let's roll back the job-killing regulations. Let's get Americans back to work, and let's leave creativity to the States to help us find better ways to take care of those who are unemployed.

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

The reason why I offered this motion is to protect unemployment insurance for the millions of jobless Americans that qualify for it.

At the end of the last session, the House considered H.R. 3630, a bill that would extend the payroll tax cuts as well as the unemployment insurance. Unfortunately, the bill also included provisions that would undermine the unemployment insurance program as we know it today.

While I disagree with many of these provisions, my motion to instruct fo-

cuses on one particular provision: the provision would roll back a requirement that States must spend all unemployment funds solely on unemployment benefits.

Now, I know that there might be some who disagree with the size of the unemployment program and how many weeks individuals should be able to get their unemployment benefits. But I think we can all agree that money intended to help the unemployed make ends meet while they're looking for work should not be used for something else.

There are several reasons why maintaining the integrity of the unemployment program makes sense.

First, there are still more than 13 million Americans out of work as a result of the worst economic downturn since the Great Depression. These Americans rely on unemployment benefits to feed their families and pay the rent until they can find another job.

To allow States to use these funds intended to support these families for programs could result in those who have lost their jobs to receive a benefit that does not help them make ends meet and would be useless.

Some might argue that this provision will give States more flexibility to implement the unemployment program. I strongly support giving States the flexibility to implement national policies in a way that makes sense to some of the States, but there's already a great flexibility in the unemployment insurance program.

States already choose and adjust employers' tax rates, benefit levels, and duration and eligibility criteria. This provision goes too far and jeopardizes unemployment benefits themselves, and it won't help the millions of unemployed Americans get back to work.

Second, unemployment benefits help individuals find other jobs. According to CBO, extension of unemployment insurance benefits in the past few years increased both employment and participation in the labor force over what they would have been otherwise.

Recent research from the Brookings Institute concluded that unemployment insurance does not increase the time that people remain unemployed. They found that unemployment benefits may actually keep more people in the labor force through its requirement that beneficiaries seek work.

The fact is unemployment benefits remain a crucial resource for American workers who lost their jobs as a result of the Great Recession and not because of their job performance.

Using unemployment insurance funding for any purpose other than unemployment benefits for struggling families simply makes no sense.

Third, unemployment benefits stimulate the economy. CBO identified increasing aid to the unemployed as one of the policies that would have the largest effect on output in employment and therefore trigger economic growth. That's because individuals who receive

unemployment benefits don't put it in their savings account. They spend that money on things like putting food on the table for their families.

If we divert money from the unemployment program, this economic stimulus effort will be lost, and our economic recovery will be even slower than it is now.

I think it is important to remind ourselves that the unemployment benefits are given to eligible individuals who have previously had a job but have lost it for reasons out of their control.

During the Great Recession, millions of Americans were given pink slips. Even now, our economy has started to show small signs of recovery, but there are certain areas in Maine's labor market where the unemployment rate is more than 20 percent. These families aren't going on vacations or buying luxury cars. They're spending all of their money in their savings accounts, emptying their 401(k)s and simply doing without. They need unemployment benefits to help them stay afloat and to help them find a job.

My motion simply instructs conferees to take out this harmful provision so that we can ensure that the unemployment funding is spent on unemployment benefits.

In this environment of reining in government spending and making sure taxpayers' dollars are used effectively, I think it makes sense to make sure that the unemployment benefits cannot be spent on some other program that won't help families or the economy like the unemployment insurance.

So I urge my colleagues to support this motion to ensure that the unemployment benefits continue to go to Americans who lost their jobs and are trying to get back on their feet.

I reserve the balance of my time.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from North Dakota (Mr. BERG), one of the new freshman members of the Ways and Means Committee who has taken a leadership role, who understands it's not an unemployment check the workers are seeking, it's a paycheck.

Mr. BERG. I thank the gentleman from Texas who understands the best solutions come from those people that are closest to the problem.

Mr. Speaker, I rise today in strong opposition to the Democrats' motion to instruct. With section 2123 of House bill 3630, we give States the waiver authority for unemployment insurance to test and expedite re-employment on individuals who are receiving unemployment benefits. We are empowering the States, who know their workers best, to be creative, to be innovative and to do more for workers to get them back to work.

In my home State of North Dakota where the unemployment rate is the lowest in the Nation, we have tremendous re-employment programs that are operated through job service. The participants in these re-employment pro-

grams have even said, I would make this program a permanent feature so that all people who are unemployed have a chance to utilize it. And others who said, You will learn something you never thought about before. No one goes away without something.

Instead of continuing the same Washington business-as-usual, inflexible approach to unemployment insurance, it's critical that we make commonsense reforms now.

To me it's obvious: States know their workers best. Let's empower them. It's time for Washington to learn from the States, give them the flexibility they need.

With that, I urge my colleagues to oppose the Democrat motion to instruct and support the underlying bill.

□ 1950

Mr. MICHAUD. I yield 4 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I rise this evening in support of Congressman MICHAUD's motion to instruct conferees.

Every single one of us in this Chamber woke up this morning and came to work. We're lucky to have jobs, jobs that are a source of dignity and self-fulfillment. But, Mr. Speaker, 13 million Americans woke up this morning with no jobs to go to, with no salaries to help support their families. These 13 million Americans are jobless, not because there is something wrong with them, but because something is wrong with the U.S. economy and with the policies designed to keep 1 percent of the population comfortable at the expense of the remaining 99 percent. The recession happened to the American people. They didn't bring it on themselves.

My colleagues on the other side of the aisle see it differently. Instead of willingly extending jobless Americans the hand up they're entitled to, the majority insists on punishing jobless Americans for their predicament. They want to manipulate the unemployment insurance program that everyone pays into, that everyone deserves to access when they fall on hard times. They want to give States the permission to use unemployment insurance funds for something other than unemployment insurance.

How convenient. I'd like to propose that we use war spending for something other than war spending.

States already have plenty of flexibility in designing their unemployment insurance systems, so this Republican proposal just appears to be an attempt to divert money away from unemployment, to erect more barriers to accessing these benefits at the very moment they're needed the most.

Here is an idea: Instead of undermining jobless benefits, why doesn't the Republican majority put its energy into a real strategy to create jobs for these unemployed workers.

This morning in the Education and the Workforce Committee, we heard

from a Republican Governor who spoke positively about the imperative of job creation and of the importance of Federal investments in infrastructure, workforce and career training.

I hope my friends in the majority will listen to this fellow Republican. I hope they will stop playing games with unemployment insurance. I hope they will remove this provision that allows States to take the unemployment insurance money away from unemployed peoples and, instead, pass a big, bold jobs plan. That will remove workers from the unemployment ranks.

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. RENACCI), a small business owner, himself, who has helped create 1,500 new jobs in the United States.

Mr. RENACCI. I want to thank the gentleman from Texas for yielding.

Mr. Speaker, I rise today in opposition to the Democratic motion to instruct and in support of an initiative in this bill that I believe will have a positive impact on our Nation's staggering unemployment rate.

In these uncertain economic times, we must allow States the ability to pursue innovative, pro-work strategies, and we must grant them the flexibility to build effective employment programs. Every day, I hear from businesses in my district in Ohio that are ready to hire but that cannot find the right person. Most of those currently collecting unemployment insurance want to return to work as soon as possible.

We must implement measures and expedite reemployment without adding to the deficit. A concept for granting States the flexibility to redirect a portion of unemployment benefits to an employer was included in the original bill. In exchange, the employer would hire a qualified unemployed worker at a higher rate than that individual would have received on unemployment.

This commonsense legislation is a win for the unemployed, for employers, and for taxpayers. I urge Members to support the underlying bill and to oppose any effort to limit this initiative.

Mr. MICHAUD. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank the gentleman from Maine for yielding.

Mr. Speaker, this is a simple motion. We want to ensure that unemployment funds are used for those who are unemployed. We want to make sure that unemployment funds, as promised, are given to those who are unemployed. It shouldn't be a partisan issue. There are unemployed Republicans. There are unemployed Democrats. There are unemployed Independents. Our motion says to them, We're not turning away from you, but evidently, it seems to be a partisan issue.

Let me repeat in clear English what this means when they talk about waivers. In clear English, it means that this bill, the House Republican bill, would allow States to divert unemployment

funds for other purposes. States already have ample flexibility. They say they need flexibility, but “flexibility” really is a euphemism for denying benefits. It’s an invitation to deny benefits. Right now, States are required to spend unemployment insurance funds solely on unemployment benefits. They must pay the benefits when they’re due. They may not condition eligibility on issues beyond the fact of unemployment and cause a person’s unemployment. Unless we accomplish what the gentleman from Maine is trying to accomplish here, this legislation would circumvent these basic protections.

Of course, it’s fine for States to innovate and to pursue innovative ideas to help people get jobs; but for heaven’s sake, don’t experiment with the livelihoods of people who have lost their jobs. It’s called unemployment insurance. No, it’s not taking money from hardworking Americans. I couldn’t believe my ears when I heard that here on the floor. Insurance is for those people who never expected they would be unemployed. I’ll show you thousands of people in New Jersey—and I’m sure my friend here could show you thousands in Maine—who never thought they’d be unemployed for a week or a month or 6 months or 99 weeks. There are more people who have been unemployed for 99 weeks in the past year than at any time since the Great Depression.

Taking money away from hardworking Americans, I couldn’t believe it. I never thought I would hear this on the floor.

Unemployment insurance is not welfare. It is provided to people who have worked hard. In effect, they’ve paid into an insurance fund. They’ve lost their jobs through no fault of their own, and they have to actively seek work to be eligible. Unemployment insurance also helps the public at large, the economy at large. It’s not just helping those families—and it certainly does help those families: those spouses, those children. As my friend from Maine pointed out, the unemployment insurance money isn’t stashed under a mattress. The family spends that money, and it helps the economy at large.

Even with the minuscule improvements in the economy recently, long-term unemployment remains up around record levels. There are millions of fewer jobs in the economy today than before the recession started.

Jeffrey from Plainsboro, New Jersey, wrote me:

I was wondering if the extension for unemployment benefits will be extended. My wife has been unemployed for close to 2 years, and despite trying to get a job, we see her 99-week deadline fast approaching. I am a car salesman who works on commission, so you can imagine, business is down. Please let me know if there is a light at the end of the tunnel. Thanks.

The SPEAKER pro tempore (Mr. TIPTON). The time of the gentleman has expired.

Mr. MICHAUD. I yield the gentleman an additional minute.

Mr. HOLT. Now, I think he would be outraged if he knew that somebody here on the floor was associating his wife with drug abusers, who shouldn’t get the unemployment insurance benefits that she deserves.

Robert from Somerset wrote to me to say:

I am an unemployed Vietnam vet who received my last unemployment check last week. What can I do about this? If you have any suggestions, I would appreciate it. Why is it so hard for you and the other Members of Congress, our Representatives, to help us by voting for the extension of unemployment benefits? Banks do not have to beg, but we do. I don’t recall any of the bank management risking their lives for our country.

If they’re interested in experimentation for how to do things better, why don’t they experiment with maybe denying the banks and investment banks some of the benefits they’ve gotten? I think this veteran would be outraged for somebody to tell him that the government is subsidizing his unemployment and destroying his motivation to work.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well while another Member is under recognition.

□ 2000

Mr. BRADY of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REED), one of the new leaders, a freshman Member of the House Ways and Means Committees, a gentleman who with his brother has run a successful business for 15 years and understands the system we have today simply isn’t working.

Mr. REED. I thank the gentleman, my colleague, for yielding.

Mr. Speaker, as my colleague indicated, I am a small business owner. I am proud of the business that we started up in Corning, New York, and the many people that we have employed in that business, Mr. Speaker.

I also know that during times when people are in trouble or businesses are in trouble, they have to make the hard decision of laying some people off, and I can empathize and understand when those individuals are in that situation.

But what we’re talking about here tonight, ladies and gentlemen, is just some commonsense reforms to allow the States to have the flexibility to do what is best for them in their local jurisdictions to try to empower the men and women from their districts so that they have the opportunity to go back to work. I wholeheartedly disagree with the concept that my colleagues on the other side of the aisle are arguing for tonight to strip that language that would give States the flexibility to do commonsense reforms in unemployment, not taking away the unemployment program—no one is talking about doing that.

What we’re talking about, ladies and gentlemen, is implementing the ability for States to have people get an education, or require people to get a GED,

to give them tools so that when they go into the marketplace they have the ability to get a paycheck again rather than an unemployment check. That should be a goal that we in Washington, D.C., share across both aisles, and we should send the message to America, You know what? We get it in Washington. We don’t necessarily have all the answers here. We should defer to the people closer to the people back in our States and in our local communities.

This is what our proposal is about. That is where these commonsense reforms are coming from, and, again, no one is talking about taking out the net that’s associated with unemployment insurance. We’re talking about commonsense reforms that will give people the tools to get back to work and take care of themselves.

Mr. MICHAUD. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I would like to thank the gentleman from Maine for providing an opportunity for civility and dialogue on the true grit of the American constituency.

I am amazed, I’m shocked, that we would be here on floor of the House denigrating an institution that has been accepted as a rainy day umbrella. I have said it often, for individuals who’ve toiled in the hot sun and skyscrapers on building infrastructure, on driving buses and trains, or however they may have provided for their families, and they have now lost their jobs.

They dutifully paid into the insurance pool called unemployment insurance. They followed the laws of their State. Some of them may be veterans who are now in the civilian workforce, and they are chagrined that they find themselves unemployed. Now we have those who would say idle hands are the devil’s workshop and who want to insist that these are drug addicts, that they’re uneducated, that they need a GED, and that they have all kinds of baggage that will not allow them to be gainfully employed.

Mr. Speaker, I’m very sorry to say that is not true. I know in my own community we are more fortunate than others regarding the amount of unemployed individuals.

But I know in the devastated communities people want to work. I have had individuals come to my office over and over again. I have seen people line up in the hot sun across this Nation this past summer attempting to get jobs. So I simply want to join with the gentleman’s motion to instruct.

I want this to be the motion to instruct for dignity. I want to thank you for insisting that workers who have lost their jobs through no fault of their own are not, in essence, drug addicts. That means conspicuous drug addicts because sometimes people need counseling. Rather than stigmatizing, why don’t we have a component that says you have job skill training, if you need counseling, you get counseling.

Let's not denigrate the unemployed. Pass the unemployment insurance. Let's call for dignity.

Mr. BRADY of Texas. Mr. Speaker, I yield myself such time as I may consume.

Look, if you think what's working is fine, we don't need to change anything. You think 27 million people trying to find a full-time job, many of them who have been out of work for 6 months or more, if you think that's great, the status quo is perfect, then this motion to instruct is what you want.

But I believe, and many people believe on both sides of the aisle, that we can do better; that those who are unemployed and looking for a job truly want a paycheck. They don't long for that unemployment check every 2 weeks or each month. They long for a job every day.

And what we want to do is to turn loose those who know their community and economy best to put together the innovative program, to put people back to work sooner rather than later, because we know the longer you stay out of work, the harder it is to find that job. The less education you have, the harder it is to find that job and to keep that job.

And so the question at hand here is, should we allow our local communities, our local States, to work with businesses, to work with workers, design programs to get people back to work sooner rather than later? It's worked before in other areas.

We've given States the waivers to put together innovative programs on welfare, again to help educate people and train them and link them up with workers so they have a real life, a real career, not a dependency on a Federal check.

And as a result of that, with five Democrat and Republican Governors working with Democrat and Republican White Houses, we have succeeded in putting people back to work, getting them off the welfare rolls as productive citizens. It's worked before. So why don't we apply this same type of innovation to a system that has been in place since the 1930s?

Frankly, we need a 21st century solution. Washington in this case, these tired old ways that are failing workers, why are we sticking with them? Why don't we allow States, not direct them, not mandate them, why don't we simply allow them to put together programs for job training so you can match people's skills or give them skills to get a job.

Why don't we require that from the first day you get an unemployment check to the last day that you're actively searching for work each day, not going through the motions, as some do, but that every person getting that help is searching aggressively every day to do their best. Why don't those who don't have a high school education with years left in the workforce, why don't we allow States to put together the program to get them that GED so

that they actually have a chance for a better life because they, again, first to be laid off, hardest to find a job, why don't we give them some hope and a high school equivalent degree while they're on unemployment. Why don't we ensure that those who are getting help for unemployment are ready and available to work.

Too often, in all sizes of towns across this country, we're finding workers who can't pass a simple drug test. More jobs these days require that drug test. Why don't we allow States to put programs together to screen those early on and put programs together so that that applicant is a clean applicant who's ready and willing to work who actually has a bright future for themselves and their children.

So at the end of the day this is a simple question: Do we stick with the status quo that we know isn't working? Do we allow States and local communities to be innovative to get people back to work sooner rather than later? These are the commonsense reforms we think this country and, more importantly, these workers deserve.

I oppose this motion to instruct because I think it's rooted in years and decades past, and we deserve better for our workers in America today.

I yield back the balance of my time.

□ 2010

Mr. MICHAUD. Mr. Speaker, I agree with part of the comments that the gentleman made. People do not want to sit home and collect a paycheck. They want to go to work. Some people definitely have to be trained for jobs. There is nothing in my motion that prevents States from offering training programs. Nothing in my motion will prevent States from encouraging people to get their GED. States have the flexibility to establish these programs on their own. My motion to instruct simply says that the benefits that were collected by the employers for unemployment benefits will have to be used for unemployment benefits. They cannot be used for training programs. They cannot be used to help subsidize businesses to pay for these employees. They have to be used for unemployment benefits.

This motion to instruct is important because if you look at my home State of Maine, there are more than 48,000 Mainers out of work. And I want to read a letter from one of my constituents whose story illustrates why its critical that unemployment benefits go to those who need them, not for some alternative program. The other alternative programs that I heard about earlier this evening, States can do that on their own. The only difference is they cannot use unemployment benefits.

I would like to read this letter from my constituent: "I just became a ninety-niner, as those of us who have exhausted our unemployment benefits are called. Though some in Congress and the media think we comprise the

bottom-feeders that the business creators needed to shed, this is not always the case.

"I have worked hard ever since I was a kid in East Millinocket doing odd jobs for my father, peddling newspapers. I went into the Army and benefited from the Vietnam-era GI Bill, and since have been glad to give back in the form of higher taxes for many years.

"In 2009, my former company moved to California and laid me and hundreds of others off, despite my having earned superior performance reviews for most of my years with them. To their credit, we were given outplacement service and a decent severance package.

"Nonetheless, I have since tried to find employment in my field, but find myself being screened out by junior human resource people who find me overqualified, too senior and/or too highly compensated for the job at hand. I am certain that some of this is ageism, which, though illegal, is still quietly sanctioned in this society. And now we face companies brazenly telling us that we need not apply if we have been out of work for more than 6 months.

"Please show some compassion for those of us who become unemployed through no fault of our own and who still hope to join the tax-paying ranks once again."

This constituent of mine relies on unemployment benefits not because he wants to or because he's lazy, but because he can't find a job. As I mentioned, some labor markets in the State of Maine have over 20 percent unemployment. He is the reason I'm offering this motion to instruct today to ensure that the unemployment insurance program is preserved for Americans like him.

It requires that unemployment benefits will be used for those unemployed. The States have the flexibility to determine eligibility, the length, and the amount. They have that flexibility. So I urge my colleagues to vote for this motion to instruct and protect unemployment benefits for what they were intended for—for those who are unemployed—and not to help subsidize other programs that States might decide to create.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

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

The yeas and nays were ordered.

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



## KEYSTONE XL PIPELINE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Colorado (Mr. GARDNER) is recognized for 60 minutes as the designee of the majority leader.

Mr. GARDNER. Mr. Speaker, I thank you for the opportunity to address the Chamber tonight to discuss a very important issue, the issue of job creation, the issue of energy independence, and what we are doing in the 112th Congress, the Republican majority, to make sure that we're creating jobs and opportunities for the American people.

According to the Canadian government, Mr. Speaker, over 143,000 jobs in Colorado depend on our trade relationship with Canada. And whether people want to admit it or not, crude petroleum is Colorado's top import from Canada. But we're not unique in that aspect. Colorado is by no means unique. Many of our jobs and much of our energy depends on our good relationship with our friendly neighbor to the north. When it comes to the Keystone pipeline, though, it's been 3 years since an application was first filed. America knows the Keystone pipeline, a 1,700-mile energy project from our neighbors to the north to the Gulf of Mexico, one that could create as many as 20,000 direct jobs and 100,000 indirect jobs. The United States as a whole would benefit both economically and from a national security standpoint if this country were to be able to move forward with the Keystone pipeline.

And tonight, we have Members of Congress from across this country, and Members from the East and the West, the North and the South who will talk about the importance of energy security and the importance of creating jobs.

So many of the debates we have heard on the Chamber floor, not only today but in the past few months, have been revolving around the notion of creating jobs and what we're going to do to get this economy turned around, an economy that already has over 14 million Americans unemployed and 46 million Americans living in poverty, a chance to get people to work and a chance to create jobs.

I will frame this debate tonight with some information that we've just received. People across this country want the Keystone pipeline to be built. If you look at the numbers we have here, supporters of the Keystone pipeline, you can see the support. It's not just Republicans. It's not just the majority of Democrats. Every sector that we have talked about in this poll supports the Keystone pipeline overwhelmingly, 64 percent when you take into account the opinions of Republicans and Democrats. They know that this project will create opportunity, opportunity that hasn't existed for far too long.

For over 36 months now, we've seen the unemployment rate in this Nation exceed 8 percent. It's unacceptable. And the fact that this administration

has decided to punt on jobs is shameful. It's been said before, a year ago, 2 years ago when the President was talking about shovel-ready projects, well now apparently the only thing that the President is willing to use his shovel for is to bury jobs. And that's why tonight I'm excited for the discussion we will have with the American people.

So at this time I would like to yield to some of my colleagues who have joined me on the floor for their take and perspective on the Keystone pipeline, beginning with my good friend from Alabama, MARTHA ROBY.

Mrs. ROBY. I very much thank the gentleman from Colorado. I appreciate you holding this very important leadership hour tonight. And, of course, Mr. Speaker, I rise today to express my extreme disappointment over President Obama's decision to block the Keystone pipeline by rejecting an application to build and operate the oil pipeline across the U.S. and Canada border.

□ 2020

I think every American should be aware of the consequences. More than 100,000 jobs could be created over the life of the project, including an estimated 20,000 immediate American jobs in construction and manufacturing.

Oil accounts for 37 percent of U.S. energy demand with 71 percent directed to fuels used in transportation. That is equally true of a mother who drives her children to school as it is the businessowner who operates a fleet of delivery vehicles. When the price of gasoline increases, Americans hurt. And the price of gasoline increased 81 cents per gallon in 2011 alone.

I support an all-of-the-above approach to energy, which includes opening up new areas for American energy exploration, transitioning to renewable and alternative energy, and using more clean and reliable nuclear power.

In his State of the Union address, the President stated, "This country needs an all out, all-of-the-above strategy that develops every available source of American energy, a strategy that's cleaner, cheaper and full of new jobs." In my opinion, his decision on the Keystone pipeline is blatantly inconsistent with this very statement.

The door is now open for this Canadian oil to go to China. Canada's Prime Minister announced his "profound disappointment with the news." While the Chinese Government has ensured its future supply of oil and other energy resources, the United States has rejected a new source of energy that was laid at our doorstep. Mr. Speaker, I ask, how does the fact that China could receive this energy supply not serve our national interests? Mr. Speaker, I consider President Obama's decision a grave mistake. And on behalf of the American people who want secure oil and new manufacturing jobs, I hope that the Congress will continue to push him to reconsider this error in judgment.

Again, thank you to my friend from Colorado for holding this important

hour tonight on this very important topic to the American people for job creation.

Mr. GARDNER. I thank the gentleman for being here tonight and discussing the impact on her district with the Keystone pipeline. She brings up a good point when it comes to the price of gas. Reports that we have say that the discovery of the Canadian oil sands has the potential to change the current gas-price dynamic. Bringing a massive amount of oil to market from a politically and economically secure source can restore market confidence and bring down gas prices.

With that, I would recognize the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. I thank my colleague for yielding, and it's great to be here with so many of them who also believe in not only the Keystone pipeline but that America can attain energy independence and security.

When the President came into office, gasoline at the pumps was about \$1.68 a gallon. Today, it's approaching \$3.40, and in some places even higher than that. We face a dichotomy of leadership here in Washington, D.C. You just heard our colleague from Alabama talk about the President's State of the Union address, and he talked about an all-of-the-above approach to energy. Well, the administration's actions and their words simply don't match.

And there's no more striking example of this than the President's rejection of the Keystone pipeline, a project that would have created 20,000 immediate jobs, bipartisan support, even the unions are supportive of that project, upwards of 100,000 jobs as it trickled down through the life cycle of that project; and yet the President rejected it. Hardworking taxpayers across America, particularly those in my district along eastern and southeastern Ohio, are very tired of Washington taking more and giving less. They want real leadership, they want real solutions, and they want a return to American exceptionalism.

I remember, and I know many of you do, a time when we grasped the concept of American exceptionalism. President Kennedy told us back in the '60s, he said, We're going to go to the Moon in 10 years. We didn't make it in 10 years; we made it in 7 because he engaged every fabric of our society—academia, our industrial base, our economic base, our political will, and even our military was behind this idea of getting to the Moon. We saw industries crop up around space exploration. We saw millions of jobs created. We saw young people lining up to get into institutions where they could major in disciplines that would prepare them for careers in space exploration.

Think about what would happen if we really had an all-of-the-above approach to energy similar to that. Think about what would happen if America had an energy policy that said, starting today, we're going to draw a line in the sand, and over the next decade, we're going