

S. 3542. An act to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes.

□ 1150

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, the former majority leader—I guess he still is the majority leader—the newly elected majority leader for the next Congress and congratulate him on his election.

Mr. CANTOR. I thank the gentleman from Maryland, the former Democratic whip and now the new Democratic whip, for yielding to me.

Mr. Speaker, on Monday, the House will meet at noon for morning-hour and 2 p.m. for legislative business. No votes are expected on Monday evening in order to accommodate the annual White House Holiday Congressional Ball. On Tuesday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Wednesday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m. on Wednesday. Members are advised that this is a change from the original House calendar.

Mr. Speaker, the House will consider a number of bills under suspension of the rules next week, a complete list of which will be announced by the close of business tomorrow. As Members are aware, the House has numerous outstanding legislative items that we are actively working to resolve. First and foremost is a resolution to the so-called “fiscal cliff.” We’re also awaiting action from the Senate on items like the annual Defense and Intelligence authorization bills, an extension of FISA, and others. Negotiations on these and many other issues will continue regardless of the daily legislative business of the House, and Members are advised that we will not adjourn the 112th Congress until a credible solution has been found that meets these challenges.

Finally, Mr. Speaker, the 2013 House calendar is now publicly available at majorityleader.gov. The House will convene the 113th Congress at noon on January 3, and we will be in session for a total of 126 days.

I thank the gentleman.

Mr. HOYER. I thank the gentleman for his comments. I appreciate his observation with reference to a number of pieces of legislation that are pending, and as he mentions in his comments, the fiscal cliff, of course, is a concern, not only to us, but to the entire country. The negotiations, as the majority leader points out, are ongoing and hopefully will bear fruit—and hopefully will bear fruit in the short term.

Mr. Leader, there are, however, some steps that we could take, I think, that would alleviate some of the concerns and apprehensions that do exist in the country. As you know, we’ve discussed before, the middle class tax cut, that is, the under \$250,000 that has been the object of discussion in the election and continues to be the object of discussion here. I’m wondering whether or not, given some of the comments that have been made, I know, by Mr. TOM COLE, your former chairman of the Republican Campaign Committee, and others, as well as the President’s comments, that I don’t see scheduled but would urge consideration, Mr. Leader, of the Senate-passed bill which will assure 98 percent of Americans that they will not receive a tax increase on January 1. I don’t see that on your list, and I’m wondering if the majority leader could comment on whether it is possible for us to take up that Senate bill to give assurance to the 98 percent of the people who will be affected by that bill.

Mr. CANTOR. In direct response to the gentleman’s questions, it is not the intention of this majority leader to bring forward to the floor that bill, for several reasons.

First of all, Madam Speaker, the notion of increasing tax rates in an economy that still is struggling, where we have entirely too many Americans out of work, is something anathema to a job-creating future. And secondly, Madam Speaker, raising tax rates, asking Americans, small businesses, to pay more of their money into Washington when Washington cannot seem to get a handle on its spending problem will just make matters worse.

We’ve got to stop the spending madness. As the gentleman knows, that is very much what this majority has been about. We want to finally provide the fix to some of the entitlement problems, the unfunded obligations that we continue to incur daily in this country.

Madam Speaker, it is not the intention for us to vote to increase tax rates on anybody in this failing economy, but we do look forward to continuing in our discussions with the administration, with the White House. The Speaker and I met with Secretary Geithner yesterday in hopes of trying to find some common ground so we can avoid the fiscal cliff, so we can get back onto a road of confidence and job creation in this economy.

Mr. HOYER. I thank the gentleman for his comments, Madam Speaker.

I would just observe that the Senate bill that I was referring to doesn’t raise taxes on anybody. In fact, what it does is ensures that no taxes will be raised on 98 percent of Americans. It doesn’t refer to the other 2 percent, as I understand the bill. It simply precludes taxes from being increased pursuant to the Republican-passed bills which sunsetted the tax rates that currently exist for those 98 percent of the people. From that standpoint, I think the bill that I have been referring to, Madam

Speaker, and I think the majority leader probably knows this, does not refer to those over \$250,000, which is what I presume he’s referring to.

I might also observe, as it relates to his response, Madam Speaker, a quote of Bill Kristol’s, who I think the majority leader probably knows pretty well and who obviously is a very strong proponent of policies put forward by the majority leader’s party, said:

“It won’t kill the country if we raise taxes a little bit on millionaires,” he said on Fox News Sunday. “It really won’t, I don’t think. I don’t really understand why Republicans don’t take Obama’s offer.”

Now, we know the President of the United States, I want to tell my friend, the majority leader, has said he is not going to sign a bill. He disagrees with your conclusion, I disagree with your conclusion, and that’s what democracy is about.

□ 1200

The President of the United States has been reelected. The President of the United States has made it very clear he will not sign a bill that reduces the tax obligations of those over \$250,000 in the coming year. He’s not going to sign that bill so that we can hold hostage the 98 percent. He believes, like you, that 98 percent of Americans ought not to receive a tax increase because it would, from his perspective, dampen economic growth in this country.

Now, we have disagreement on the \$250,000 and above, which is a legitimate disagreement. We can debate it on the floor, we can vote on it on the floor, and every American can see where everybody stands. We believe that 60 percent of Americans or more agree with the President and with our proposition. But to say that we’re not going to do something for the 98 percent because we don’t want something to happen to the 2 percent—which, by the way, is not in that bill. But the gentleman’s correct, nor are they included in that bill, the 2 percent.

But I would urge my friend, we’re having trouble getting to an agreement. I think that’s unfortunate. I think the gentleman, the majority leader, and I both want to get to an agreement. We don’t want to go over that fiscal cliff; that will be bad for the economy. We both, I think, believe—I hope—that we need to have a balanced agreement so that we will not go over that cliff. That would be bad for the country, bad for the American people, bad for the growth of our economy. We don’t want to do that. The gentleman, in my view, does not want to do that.

One way we can give some confidence, which is very important to the growth of the economy, is to assure, as TOM COLE, your former chairman of the Republican Campaign Committee, said just the other day in, I believe, your whip meeting, that he believes that this ought to be done; we ought to give those 98 percent assurances.

So I tell my friend that we can debate the other part of it, we can vote on the other part of it and the prevailing side will obviously win, but I don't think there's disagreement on the 98 percent. I think we agree on that. As I said before the election and I say after the election, we ought to move forward on that because that is something on which I think you and I can agree, on which Republicans and Democrats in this House can agree, something which the Senate has already agreed to. And while there was not a bipartisan vote on passage, there was a bipartisan vote to let that bill come to the floor. It's the only way it moved ahead, on a bipartisan vote. I would hope that we can at least do that so that we can give at least that on which we agree the opportunity to move forward.

I yield to my friend.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, where we don't agree is asking anyone to pay more out of their paycheck to Washington when Washington seems to be incapable of getting hold of its spending problem, which is why, Madam Speaker, we continue to ask this President in these negotiations to be specific with us.

We want to address the problem. We realize that we are digging the hole deeper every day and that taxpayers are on the hook. That's why we say it is now not the time to ask anyone to pay money into Washington when we keep increasing the debt the way we are. So there is not agreement that we ought to raise taxes. There is not agreement at all until we get the problem fixed. That's all.

We can see eye to eye on this, but let's all start where we know we've got to go, which is addressing the spending problem. Then, finally, we can perhaps fulfill the promise of rebuilding the confidence that people need to have in this Federal Government.

Mr. HOYER. Madam Speaker, I don't know that I'm making myself clear: The Senate bill raises taxes on nobody. Nobody. The Senate bill simply says, for those making less than \$200,000 individually, or \$250,000 as a couple, they will not receive a tax increase. My friend, the majority leader, keeps responding that we're not in agreement on the over \$250,000.

Mr. CANTOR. Will the gentleman yield?

Mr. HOYER. I'll be glad to yield to my friend.

Mr. CANTOR. Look, Madam Speaker, just imagine that those individuals the gentleman likes to say are perfectly willing and capable to pay more taxes, the small business man or woman who may make over \$200,000 individually, \$200,000, that individual will see a tax increase come January if that bill is passed or if nothing is done.

So, Madam Speaker, I know that the gentleman can be technical in his argument and say there's no tax increase, but the end effect of passing that bill, as if it resolves the matter, would

mean an increased tax bill for a small business man or woman, a working man or woman at that income level. So let's be honest about what the impact is of saying that that bill is the final resolution here. I mean, the gentleman knows that is correct.

So, again, we've been through this. All I would say, Madam Speaker, to the gentleman is we are earnest in our desire to want to resolve things, and we are earnest in our statements that we don't want to go over the fiscal cliff. We've got to come together and solve this problem. Allowing taxes to go up on a certain portion of the population doesn't just fix the problem. The problem is in the spending. The gentleman knows that, he's been a real committed deficit hawk. He continues to say we've got to pay for what we buy. Well, we've bought these incredible entitlement programs, and they've got to be sustained for the people who are relying on them, which is why we want to save them. That's solving the problem. That's where we need to go on this.

Mr. HOYER. I thank the gentleman.

Madam Speaker, again, the gentleman says that I'm technically correct. I presume that means I'm correct.

The bill that I'm asking to be brought to this floor to pass will not raise anybody's taxes. What the gentleman is saying is that, unless we deal with the 2 percent, the 98 percent are going to be held hostage until such time as we deal with the 2 percent. Now, the problem with that, in a democracy, we have a disagreement on that. As a matter of fact, it was pretty clear to the American public that there was a very significant and unclouded, not confusing, difference between the two candidates for President on the very issue to which the gentleman speaks, and the American public voted. And the President of the United States, who said, "No, I don't agree with that," won the election. He won the election. And he is saying, I'm not going to sign the bill on the \$250,000 or above.

Now, my problem, Mr. Leader, is I understand your conclusion is that if you pass the 98 percent, that you won't have a bargaining chip with which to press your point on the over \$250,000, or over \$200,000 individually as you correctly observe. I understand that. But, frankly, the bargaining chip is somewhat illusory in that the President said absolutely he will not sign that. Why? Because he wants to bring down the deficit. He wants to and has agreed to—and we've agreed to—over \$1.7 trillion in spending cuts already for 2011, 2012, and 2013, and for the next decade—or at least until 2022. We've already agreed to that. You pressed that, you were successful. We agreed on many of those. Some we didn't agree on, but you had the votes we needed to reach an agreement and we reached an agreement. So we cut almost \$2 trillion of spending already.

You're correct: we need to assure the fact that we pay for what we buy, and

if we don't want to pay for it, my view is we shouldn't buy it. Frankly, that principle applies, in my opinion, to tax expenditures as well as to buying stuff because it all reduces your ability to pay for what you're buying.

So I tell my friend, it's not that I'm technically correct; I'm correct. The bill that I'm asking you to pass will simply give to the 98 percent of American taxpayers the assurance that their taxes will not go up on January 1.

□ 1210

If we don't pass it, they won't have that assurance. Their confidence level will not be good. The stock market will be concerned. And, yes, we'll have to deal with the other 2 percent. That is clearly going to be a part of the discussion, and hopefully there will be an agreement.

But my presumption is the reason the gentleman from Oklahoma, TOM COLE, made that comment just a few days ago—and it's not like he's a backbencher. He is the former chairman of your Republican Campaign Committee—he said, We ought to do this. We ought to get it off the agenda so we give those people confidence. He called it a Christmas present to the 98 percent. I think it's a judgment that our economy will be better off if we do it.

I would be glad to yield to my friend.

Mr. CANTOR. Madam Speaker, I don't want to belabor the point. But I just want to tell the gentleman that I did not say he was technically correct. I said he was being technical in his argument.

I then went and made the case that the real impact of what the gentleman is advocating will be that taxes will go up on many people, those job creators and others. That was all.

Mr. HOYER. Let me move on, if I can, because there are a couple of other issues.

I know the gentleman indicated that you didn't include one. I think you did include the farm bill. Could you tell me what you think of the status of the farm bill? Again, we have an issue where the farm bill passed 64-35 in the Senate; 16 Republicans voted for it. And very frankly, the farm bill in this House passed out of your committee 35-11 on a bipartisan vote. That's not been brought to the floor.

Could the gentleman tell me what he thinks is going to happen to the farm bill?

Mr. CANTOR. Madam Speaker, I would tell the gentleman that both the Speaker and I have both said that we will deal with the issue of the farm bill or the issue in and around the farm bill before leaving this year.

I would tell the gentleman it is our sense that the farm bill, in being brought to the floor in regular order, does not have the votes to pass this House. And we understand the importance of the issues surrounding the farm bill and working with Chairman LUCAS and others.

But on both sides of the Capitol, we look forward to hopefully reaching

some type of resolution on issues surrounding the farm bill prior to leaving this year.

Mr. HOYER. I thank the gentleman for that response; and I am hopeful that we can, in fact, proceed on that for the farmers of America.

Obviously if we don't pass something by December 31, on January 1 prices for the Federal Government will go up very dramatically, as the gentleman knows; and it will have an impact on spending. And I know the gentleman and I are both concerned about that.

The next to last issue—just two more issues, if I can, Mr. Leader.

As you know, we've talked about the Violence Against Women Act. We've passed a bill through this House that was passed essentially on a partisan basis. They passed a bipartisan bill in the Senate, Violence Against Women. And domestic violence is an epidemic, in some respects, in this country.

I am hopeful that we might consider taking up the Senate bill again because it got passed on such an overwhelmingly bipartisan basis in the Senate. I would suggest to the gentleman that it may well pass on a bipartisan basis here as well.

The problem, as you know, from my perspective and from our side, with the House bill is that you exclude a number of people. The problem with excluding people—for instance, undocumented immigrants from being able to come forward and having a sense of safety and security in doing so—is that the abuser of the undocumented immigrant, left unaccountable, may well be the abuser of a citizen or a child in this country, either as a citizen or here illegally; and, therefore, we think there ought to be broader coverage. Apparently, the Senate shares that view. As you know, every Republican woman and Democratic woman voted for that bill in the Senate.

Does the gentleman have any idea whether we could either go to conference on that bill or whether or not we might bring the Senate bill up for passage?

I yield to my friend.

Mr. CANTOR. Well, I would tell the gentleman, Madam Speaker, that the Chair is actually the author of the House bill.

The House bill was passed out of this House. It had broad support. It was a bill that did not intend to target any specific group. It tried to streamline the grant-making process so that the benefits designed to address the needs of abused women and others could reach the victims; and I am committed to seeing if we can get this bill done.

The gentleman knows, Madam Speaker, that the Senate bill has a blue-slip problem. The Senate bill is not over here. So we continue to negotiate and discuss ways for us to resolve this by the end of the year. The Vice President and I have even spoken, because it's an issue very near and dear to his heart, to try to see how we can resolve this.

So I commit to the gentleman that I am looking to see this resolved and passed by the end of the year and to see where we can land in a way that preserves most of what that bill is about that we can have in common rather than emphasizing the areas of difference.

Mr. HOYER. I thank the gentleman, and I thank the Speaker for her leadership on this issue.

But I thank the gentleman for his assurance that he's focused on this and is going to work on it. I look forward to working with him on this bill, which I think is a very important bill for us to get passed before we leave here.

Lastly, obviously all of us know that Hurricane Sandy visited extraordinary damage on a large portion of the Northeast. I come from Maryland, and we were not very substantially damaged; but obviously New Jersey, New York, and Connecticut, in particular, were.

Can the gentleman tell me—I know the administration has not come down with a number. That number, I presume, is going to be well north of \$50 billion. In terms of the estimates that are being made, this is one of the five most damaging storms to hit the coast of the United States of America.

I am wondering whether or not the gentleman might have in mind doing some interim figure in the next 3 weeks, before Christmas, substantially below what we know is going to be the ultimate figure. And then would the gentleman tell me whether or not, if we could do that, whether or not the gentleman would require that it be off-set.

And I yield to my friend.

Mr. CANTOR. Madam Speaker, I will tell the gentleman I think he would agree that the best policy is to allow the administration of FEMA to come up with the estimate and the most accurate prediction of what the costs are before we move. So that would be in response to the first part of his question.

Secondly, as the gentleman knows, when we passed the Budget Control Act last year, it had in it the mechanisms to actually budget for disaster relief and imposing a formula for a 10-year rolling average, allowing for the preservation, if you will, of those dollars dedicated to disasters was what we accomplished there. And it is that process that is much different than prior to the BCA, and I think it obviates the need for us to engage in this discussion that he wants to engage in regarding offsets.

Mr. HOYER. Lastly, let me ask you: Mr. NADLER has a resolution. I'm not sure if Mr. GRIMM and Mr. KING are on the resolution, but I presume they're on the resolution as well. It's a bipartisan resolution expressing condolences to those who were devastated not only in terms of property but some, of course, lost family members and life, whether or not that resolution might be brought to the floor so that this House can express its regrets and con-

dolences and sympathy with those who were so devastated.

Mr. CANTOR. I will tell the gentleman, Madam Speaker, that we did, as he knows, observe a moment of silence in memory of those who lost their lives in that horrific storm to hit the east coast of the United States. Certainly all of us, our thoughts, our prayers, our sorrows go out to the loved ones who have lost family members, friends in that awful tragedy of a storm. I have not looked at Mr. NADLER's bill but will do so, I will tell the gentleman.

Mr. HOYER. I thank my friend.

Madam Speaker, I yield back the balance of my time.

□ 1220

ADJOURNMENT TO MONDAY, DECEMBER 3, 2012

Mr. CANTOR. Madam 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 (Mrs. ADAMS). Is there objection to the request of the gentleman from Virginia?

There was no objection.

THE FISCAL CLIFF

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

Mr. SCOTT of Virginia. Madam Speaker, on behalf of the Congressional Black Caucus, we would like to discuss the fiscal cliff and our position on the ongoing negotiations.

We didn't get here, Madam Speaker, by accident. I was elected in 1992. In the 1993 budget, we addressed fiscal responsibility by passing the Clinton budget. It was very controversial. In fact, it only passed by one vote of the House, and the Vice President had to vote in the Senate to break the tie. That budget put us on a trajectory toward fiscal responsibility.

That was interrupted by a controversy in 1995, when the Republicans, using the votes on that budget, picked up a majority in the House and tried to dismantle that budget. President Clinton allowed the government to get shut down rather than dismantle the budget. That budget stayed into effect until 2001.

In 2001, Chairman Greenspan was answering questions like: Are we paying off the national debt too quickly, and should we pay off the national debt? The projections were that, by 2008, the entire national debt held by the public would be paid off with no money owed to China, Japan, or Saudi Arabia. We would have paid off all of those debts. All the money would have been back in the trust funds by 2013.